

SHAKESPEARIANA.

VOL. IX.

OCTOBER, 1892.

No. 4.

FALSTAFF AND EQUITY.

"And the Prince and Poyntes bee not two arrant cowardes theres no equitie stirring, theres no more valour in that Poyntes than in a wilde ducke." (1 *Henry IV.*, Act II., Scene 2. First Quarto, 1598.)

SECOND PAPER.

IN the previous paper, occasional reference was made, and further reference will be made in this, to a synoptic note, for a condensed view of the historic war between the courts of law and equity, giving the dates of its successive stages and material incidents.* Omitted before for want of space, the note referred to is now brought to the front, leave being asked to repeat an explanatory sentence:—"The genesis of the controversy is traced to the great struggle between the laws of England and Rome, from the twelfth century to the fourteenth, when

* THE WAR BETWEEN THE COURTS.—*Temp.* Henry II., 1154-1189. Violent struggle for jurisdiction between the laws of England and Rome, resulting in clipping the wings of the ecclesiastical courts by the Constitutions of Clarendon, followed by the assassination of Archbishop and ex-Chancellor Thomas à Becket. (4 Bl. Com., 422; Hallam, M. A. Ch., 7; Lord Camp., Life of Becket.)—John, 1204-1215. The barons declare for trial by jury and the law of the land. (*Magna Charta*.)—Henry III., 1217-1272. The barons reply to the prelates "*quod nolunt leges Anglie mutare*." They are unwilling to change the common for the civil law. (Stat. of Merton.)—Edward I., 1272-1307. Stubborn opposition to continued encroachment of ecclesiastical courts. Vigorous measures taken to repress it. (4 Bl. Com., 425.)—Edw. III., 1327-1377. Struggle over jurisdiction renewed. Wyclif and the Lollards—Chaucer—Statute of *Premunire* 27 Ed. III. (so called from the leading word in the writ by which sheriff is charged to summon delinquents), denouncing with severe penalties those "which do sue in any other court to defeat or impeach the judgments given in the King's Court." This is the statute mainly relied on by the common-law judges in their opposition to the equity jurisdiction of restraining judgments by injunction. (3 Inst., 119, 122.)—The Roman law, heretofore in favor with the courts, now becomes an object of aversion. (1 Spence, Eq., 346.)—Rich. II., 1381-1399. Increase of Lollardry. The barons protest that they will never suffer the kingdom to be governed by the Roman law. The judges prohibit the citation of the civil law. Effect of the exclusion of the civil law from the common-law courts, to throw the exclusive administration of *trusts* into the Court of Chancery. Waltham supposed to devise the writ of *subpœna*, 1386. Jealousy of Parliament toward the growing power of chancery. Repeated efforts to restrain and limit its authority. Its jurisdiction supported by the crown. Parliament will not admit of an equity of redemp-

it merges into the long contest with the constantly developing jurisdiction of chancery, settled finally by the intervention of King James the First on the side of chancery in 1616."

tion. (2 Fon., Eq., III., 1, sec. 2, note; 1 Spence, Eq., 346; 3 Bl. Com., 52; 4 Inst., 82; 3 Reeves' Hist. C. L., 188, 274, 379; Parkes' Hist. Chan., 39-48; Gilb., For. Rom., 17; 1 Sto. Eq. Jur., sec. 46; 1 Pom., Eq., sec. 20; Ld. Camp., Lives Ch. of R., II.)—Henry IV., 1399-1413. Lollards persecuted and Sir John Oldcastle executed. Continued struggle against the growing jurisdiction of equity. The commons renew their petitions complaining of the Court of Chancery, particularly of its interference with matters remediable at law. Statute of Prohibition, 4 H. IV., declaring that judgments at law should not be annulled excepting by attain or for error, one of the statutes afterwards relied on by the judges to support their opposition to common injunctions. (4 Inst., 83; 3 Bl. Com., 52; 1 Spence, Eq., 348; and authorities cited *supra*.)—Henry V., 1413-1422. The same struggle continues. The commons renew their remonstrances against the Court of Chancery, which is again supported by the crown. (Lord Camp., Life of Beaufort, and same authorities.)—Henry VI., 1422-1461. The struggle continues. In this feeble reign, the chancellors fail of their accustomed support from the crown. The opposition to chancery scores a point in securing the passage of an act requiring that no subpoena should issue in matters determinable by the common law, and requiring a certificate by two justices, and bond to be given by all plaintiffs in equity. (15 H. VI., C. 4.) This statute appears to have been neglected by the chancellors, since it was again distinctly provided that "no matter determinable by the law of this realm" shall be "determined in other form than after the course of the same law in the King's Courts" (31 H. IV., C. 2; 4 Inst., 83, 84; 1 Spence, Eq., 370.)—Edward IV., 1461-1483. In this despotic reign the Court of Chancery is firmly in the saddle. No further opposition is made in Parliament, and the struggle is transferred to the courts of law. The right of the chancellor to restrain judgments by injunction "vehemently opposed," as appears by the Year Books. In 5 Ed. IV., 35, it was resolved that after judgment at common law the party could not be relieved in equity. In 22 Ed. IV., 37, the same was again resolved, with the declaration by the judges that they would release on *habeas corpus* any suitor who should be imprisoned by the chancellor for breach of such an injunction. (3 Inst., 123; Cro. Jac., 344.)—Henry VIII., 1509-1547. Lollardy merging into Puritanism. Impeachment of Wolsey, for (amongst other articles) assuming jurisdiction as chancellor after judgment at law. Continued opposition of the judges to injunctions granted by his successor, Sir Thomas More. He proposes to the judges that if they would "mitigate and reform the rigor of the law themselves, there would be no more injunctions." They refuse, and he announces his purpose to persevere. Stat. of Uses, 27, H. 8, designed to abolish equitable jurisdiction over landed property, but such effect defeated by narrow decisions. (2 Bl. Com., 336; 4 Reeves' Hist. C. L. 520; 370-376. Parkes' Hist. Chan., 63, 65. Roper, Life of More, 42; Ld. Camp., do; 1 Sto. Eq. Jur., sec. 51; 3 Inst., 124; 4 Inst., 91.)—Elizabeth, 1558-1603. "The warfare between the two sides of Westminster Hall" (in the language of Lord Campbell) continues throughout this reign, as shown by the following cases, cited 3 Inst., 124; Mich., 8 & 9, El. in K. B. Ralph Heydon, gent., was indicted of a *premunire* upon the stat. 27 E. III., for procuring of Sir Nicholas Bacon, Lord Keeper of the Great Seal, to grant an injunction in chancery after judgment given in ejectment, in subversion of the laws of the realm.—Trin. 21 El., in the common pleas. A writ of *premunire*

The narrative will now be resumed at the point where it was adjourned by the fall of the editorial gavel, just at the interesting stage where Throckmorton filed a bill in chancery for relief against the judgment at law, rendered upon the technical forfeiture.

There would of course be no difficulty in such a case at the present day. But juridical equity was at that time an undeveloped system, and its relief was sparingly granted even as against penalties and forfeitures. The plaintiff in equity was required to show special circumstances of extremity or accident to excuse the forfeiture.*

Accordingly Throckmorton's bill alleged some such "apparent matter of equity" (not necessary to be here particularized), to show that the non-payment of rent was no wilful failure. On behalf of his client, Coke demurred to the bill, thus raising the simple issue that, after judgment at law, equity could not interfere.

It was at this point that Queen Elizabeth interposed her authority. Ellesmere was then lord chancellor, and, in accordance with his well-known principles, had clearly manifested his inclination to overrule the demurrer, and sustain his jurisdiction.† He certainly had a right to presume that Her Majesty, being an interested party, would keep her hands off, and that, at least, consistency would re-

upon the said stat. of 27 E. III. by Beans against Lloyd, for suing before the President and Council in Wales (a court of equity) after judgment in the common pleas, in subversion, etc.—Pasch, 27 El. in K. B. Peter Dewse was indicted for procuring an injunction in chancery after a judgment in ejectment.—Trin. 30 El. in K. B. John Heal, of the Inner Temple, Esquire, was indicted of a *premunire* for procuring a suit in chancery after a judgment at law, contrary to the stat. 27 Ed. III. On exceptions taken by counsel, the court resolved that the Court of Chancery was within the statute of *premunire*, but quashed the indictment for a variance in the name of a party.—Mich., 39 & 40 El. Thomas Throckmorton exhibited a bill in chancery against Sir Moyl Finch. (This case, as well as that of Heal, will be found fully stated in the text.)—James I., 1603–1616. The culminating crisis and final settlement of the controversy by the king in person in favor of the jurisdiction of equity, the issue being precipitated by the following cases: Heath *vs.* Ridley, Cro. Jac. 335; Courtney *vs.* Glanvil, Cro. Jac. 343; Goge's case, 1 Rolle, 277.—1616. A commission of crown lawyers, with Bacon at its head, is instructed to report as to the precedents of injunctions granted after judgments at law. The commission reports in favor of the jurisdiction of the Court of Chancery, that the chancery "does not assume to undo the judgment, but only to restrain the corrupt conscience of the party." Upon this report an order of the king is passed, 18th July, 1616, and enrolled in chancery, determining the question, by virtue of the royal prerogative, in favor of the chancellor. (1 Carey Rep., 163, etc.) 16th Nov. 1616. Lord Coke removed from office by royal superseas. Years afterwards, in his Institutes, he stubbornly repudiates the royal order as contrary to law. (3 Inst., 125.)

* 1 Spence, Eq., 603, 629, notes.

† When Lord Ellesmere was made Viscount Brackley, the wits of Westminster Hall, who objected to his interference with the judgments of common-law courts, converted the name into *Break-Law*. (Foss, Life of Bacon.)

strain her from taking action in the teeth of what she had done in the case of Sergeant Heal, a few years before.

But the queen appears to have taken a special interest in this case, for more than a mere business reason. She also had a woman's reason. And now comes in the romance of the case. A sister of Throckmorton had been one of her maids of honor, and by her imprudent conduct had brought scandal upon the court. No less distinguished a name than that of Sir Walter Raleigh was connected with that of Betty Throckmorton in the affair. Sir Walter was one of Queen Elizabeth's alleged "lovers." Here was a piece of audacious rivalry that could never be forgiven. The virtuous indignation of the "imperial votaress" was hardly appeased by the imprisonment of both culprits in the Tower, and her jealousy was not abated, but rather in flamed by their subsequent intermarriage.*

So, when her attorney-general laid before the sovereign the state of the case, and gave her plainly to understand that Betty Throckmorton's brother was on the high road to success in Her Majesty's Court of Chancery, and that unless he could be tripped in some way, the queen and her grantee, Finch, would after all lose their case, the courage of Elizabeth was equal to the occasion. Her policy, however, did not carry her beyond the actual emergency. She knew, as well as Coke knew, how the judges stood upon the question. They were the same judges who had already passed upon the title in the Court of Exchequer and in the exchequer chamber. It was their deliberate and affirmed judgment that the chancellor was inclined to disregard in favor of equity. The royal pleasure was accordingly signified to the chancellor, that the consideration of the demurrer should be referred to all the judges of England.

It was certainly unbecoming in the queen to intermeddle in her own case, but the reference proposed was not unconstitutional. There was then no such thing as an appeal from the chancellor to the House of Lords. In a disputed question of jurisdiction between the chancellor on one side, and the courts of law on the other, it seemed more reasonable that the decision should be left to the twelve judges than to the one-man power of the chancellor.

Ellesmere submitted with the best grace he could to the royal command, and in pursuance thereof passed an order referring the cause to all the judges of England. This order bears date May 28, 1597. For nearly six months the judges held the great question under advisement, during which time there were, as Coke says, "divers hearings and conferences."

It is not to be supposed that this long delay was due to any great difficulty that the judges found in the decision. It was more likely to

* Aiken, *Court of Eliz.*, II., 314; Gosse, *Life of Ral.*, 55; Edwards, *do.*, I., 135; Birch, *Mem. of El.*, I., 79.

be occasioned, partly by the practical difficulty of getting them all together from the business of their several courts, and partly by the desire to enhance their own importance by holding the public mind in suspense over a cause of magnitude. As common-law judges they were naturally inclined to the common-law side. At that time judges had no fixed salaries. Their compensation depended upon fees paid by suitors, and varied with the number of cases and amount of business. They had therefore a personal interest in preventing interference with their jurisdiction.*

Although Lord Campbell and Mr. Spence both impute this mercenary motive, it is none the less true that the judges really reflected the sentiments and the prejudices of the great mass of the English people at that time, and for many generations before.

The history of the struggle (see synoptic note) shows very plainly that the growing power of the chancellor was from an early day viewed with suspicion and alarm. Among the English common people there was a deeply-rooted sentiment of attachment to the Saxon trial by jury, and of aversion to the one-man power of adjudication, even when confined to questions of property. The colonists who settled America largely brought this sentiment with them. They regarded the common law as their safeguard from oppression, and feared the Court of Chancery as a possible engine of arbitrary power. In colonial New England and Pennsylvania no similar court was tolerated. This fact illustrates the feeling of the people from whose midst those colonists went forth. This popular sentiment the judges of England had always represented, and still continued to represent. Nothing could be more certain than that a large majority of them would sustain Finch's demurrer. But in order to give to their decision the imposing weight of a finality it was desirable that it should be withheld until it could be made unanimous.

Their decision was at last signified to the chancellor by Chief Justice Popham. The unanimous resolution of the judges was that after judgment the party could not be relieved in equity, as tending to the subversion of the common law, and thereupon they all certified that the demurrer was good, and that Finch ought not to be required to answer. On November 15, 1597, the result was announced by the chancellor in open court, and that ended the case. It did not, however, end the controversy.†

* 1 Spence, Eq., 674, note; Camp., *Life of Ellesmere*, ch. 47.

† In Coke's *Institutes* and in Croke James will be found reports of the case of *Throckmorton vs. Finch*, as given upon the authority of Lord Coke himself. (2 Inst., 124; 4 Inst., 86; Cro. Jac., 344.) In a tract styled "*Jurisdiction of Chancery Vindicated*," appearing as an appendix to 1 Rep. Chan., also printed, and more correctly, in the "*Collectanea Juridica*" (p. 52) may be found quite another version of the same case, differing from Coke's in some essential particulars. In fact, a direct issue of veracity is made. This volume of reports (1 Rep. Ch.) is

Attention is now called to the interesting and significant fact, never before noted, that *in a little more than three months after the last-mentioned date, the First Part of Henry the Fourth was entered upon the books of the Stationers' Company.*

The once important but now forgotten case of Throckmorton *vs.* Finch has been revived in some detail in order to enable the learned reader to decide for himself whether or not Falstaff's original audiences must have been aware of that litigation, and of the state of the controversy between the courts which its pendency indicated.

Take this case in connection with that of Sergeant Heal a few years before. Here are two cases, one a criminal prosecution of a prominent lawyer, the other a civil case involving an interest of the queen; both are cases of a conflict of jurisdiction between law and equity; both are made famous by the personal interposition of the sovereign; both are made more conspicuous from the apparent inconsistency of her dealing; in one case the judges are publicly disgraced for interfering with the chancellor; in the other they are publicly invited to overrule the chancellor; in other words, both are cases of first-class magnitude, importance and contemporary renown, although of no nineteenth century significance, and long since relegated, both of them, to the lumber-room of back numbers and dead issues. But the question is not what impression the controversy makes upon this generation. We are talking now about gentlemen with peaked starched beards, who wore doublet and slashed hose, who went to the play sporting rapiers, with roses on their shoes and plumes in their hats. We are dealing with a time when the nobility lived in Drury Lane, when Islington was a suburban village, and when the spikes of London bridge were decorated with human heads. To understand Shakespeare we will have to borrow a little from the magic of his fancy, call up the dead of three centuries ago, and resurrect the sentiments and the quarrels that were buried with them. An effort of the historical imagination will enable us to realize the state of mind

anonymous, and is characterized as "loose, meagre and inaccurate, of not much weight or authority" (1 Kent, Com., 492). The appendix is also anonymous. The supposition of Mr. Spence that the author of this tract was Lord Ellesmere (1 Spence, Eq., 683, note) is a palpable error, unless we admit that Ellesmere wrote it after his own death. Not only is the death of Lord Ellesmere distinctly referred to (1 Coll. Jur., 19), but the paper shows on its face that it was not written until after the death of Coke, who survived Ellesmere nearly 20 years. In every particular of variance I have followed Coke in preference to this anonymous and prejudiced, although learned writer. I have, however, taken some of his statements and dates, not inconsistent with Coke's, to fill up Coke's meagre outline. This case has been altogether overlooked by Lord Campbell, both in his life of Ellesmere, and in his life of Coke, although among modern writers he is not exceptional in that respect. The same remark is applicable as well to Heal's case.

of Falstaff's public in relation to the great struggle of equity against the rigor of the law, of which the case of *Heal* and the case of *Throckmorton* are to-day the speaking witnesses. We will have no difficulty in perceiving that when, in 1597 or 1598, Falstaff was heard exclaiming that if the prince and Poins were not arrant cowards there was "no equity stirring," everybody who had sense enough to want to go to the play at all, had the common intelligence to see at once the palpable allusion to the militant equity of the Court of Chancery, the equity that was fighting its way over the prejudices, the jealousy and the obstinacy of the courts of law.

It is conceived that no Shakespearian scholar will want to hear argument upon such a point as the presumed knowledge by the dramatist himself of such a case as that last referred to. But it so happens that, apart from the violent presumption arising from his marvellous general information, especially as to all matters connected with the courts, there is authentic evidence of a more pointed and personal character. Reference might be made here to the significant fact that, fresh from the study of the consecutive reigns of Richard II. and Henry IV., Shakespeare must have been much impressed by the conflict between equity and the common law, which was a salient feature of the whole period (see synoptic note). But without dwelling upon that consideration, there is at hand matter more closely in point. I refer to the chancery suit of Shakespeare *vs.* Lambert, pending in 1597, and for several years before and after. There will be occasion further on to develop the particulars of that litigation, under another head. It will be seen that the object of that suit was the redemption of a mortgage upon his mother's maiden property, after alleged legal forfeiture, and that its circumstances were so nearly analogous in principle to those of *Throckmorton vs. Finch* that the progress of the last-named case could not have failed to arrest the closest attention of Shakespeare and his counsel. It will further be seen that the Shakespeares *changed front and filed a new bill against Lambert on Nov. 24, 1597, nine days after the decision of the judges was announced in Throckmorton vs. Finch*, a startling coincidence in dates, now for the first time noted. And it will appear upon the whole as a reasonable inference from all the facts in evidence, that during the period of six months, from May to November, 1597, that the case of *Throckmorton vs. Finch* was under advisement, at the instance of the queen, by the twelve judges of England, Shakespeare was in consultation with his lawyers respecting the new move about to be made in the Court of Chancery in the case of Shakespeare *vs.* Lambert. That Shakespeare's counsel were aware of the pendency and bearing of such a case, every lawyer will admit, and indeed it would be ridiculous to doubt. And that Shakespeare extracted from his lawyers all that they knew that was worth his knowing it would be rather bold to deny, in the face of what

is known of his powers of absorption, his shrewd business talent, his interest in legal matters generally, and his special interest in the particular subject-matter. Thus opportunity combines with motive, and both with genius, to make the inference irresistible. The case of Throckmorton *vs.* Finch as a possible precedent to the case of Shakespeare *vs.* Lambert was brought home to Shakespeare, and was pressing upon his eager attention, while he was either actually engaged in the composition of the drama, or while the unpublished MS. was still in his hands, subject to revision. Of the two alternatives thus suggested, the former is the one which more nearly coincides with the generally received opinion as to the probable period of composition.*

* The play of *Richard II.* was entered at Stationers' Hall in August, 1597, and the first part of *Henry IV.* in the ensuing February. It is hence supposed that the last-named play was put into its present shape between those dates, although, of course, the mere entry for publication is no proof that the play might not, in some shape, have been performed previously. It is true that in the ninth edition of "Outlines" (vol. I., page 153) the appearance on the stage of the first part of *Henry IV.* is "confidently assigned to the spring of year 1597." No direct evidence is claimed in support of this rather dogmatic statement, which, upon examination, turns out to be merely an inference from the known facts, that the drama had been exhibited in public before the name of Oldcastle had been altered to that of Falstaff, and that this change was made in or before February, 1598 ("Outlines," vol. II., p. 349, 350). The only additional circumstance adduced to narrow the time of production down to the spring of 1597 is the death of Lord Cobham, March 5, 1597 (ib., vol. II., p. 350, note 261). Upon investigation, however, it will be found by those interested in bringing this matter down to a fine point, that the only possible effect of the death of Lord Cobham, as a piece of circumstantial evidence, is, as tending to show that, at all events, the first part of *Henry IV.* with the obnoxious name of Oldcastle "thoughtlessly introduced into the comedy," could not have been exhibited *prior* to March, 1597, but is no evidence whatever as to the particular time of the production of the piece *after* that date. The conjecture of Halliwell-Phillipps that the comedy was represented before the Queen in the Christmas holidays of 1597-98 ("Outl.," ninth ed., vol. I., p. 153), is probably correct. It coincides with the conclusion of Stokes, who assigns the date of production to the end of the year 1597. (Sto. Chron. Order, 54.) There is certainly not a particle of proof, either direct or inferential, that the play had ever been publicly represented before. In fact, the only thing at all certain about the whole matter is the *date of publication*, 25th of February, 1597-98, and that the text of the first quarto (1598, reproduced in Bankside edition) is "so complete and perfect that it must have been printed from Shakespeare's MS. or a very accurate copy thereof." (Intro. to Bank. ed., 1 *H. IV.*) All beyond that is mere conjecture or inference from very meagre and unsatisfactory data. The mention by Francis Meres, in "Palladis Tamia," 1598, relied on by Furnivall (see his introduction to "Gervinus"), obviously amounts to nothing as original evidence, since we have the authentic date of publication in February of that same year. In this connection the writer takes occasion to commend to all future editors, commentators and critics a close study of the three contemporaneous cases referred to in the text, with their instructive coincidences of dates, viz.: Throckmorton *vs.* Finch, Mylward *vs.* Weldon, (to be cited presently,) and Shakespeare *vs.* Lambert, with the suggestion that from the circumstances of

But upon either hypothesis, a flood of light is let in upon Falstaff's allusion to "*equity stirring*." Plainly, it is the equity of the Court of Chancery that was stirring the attorney-general, stirring the queen, stirring the palace, stirring the twelve judges of England, stirring the bar, and stirring the public. It was the same equity of the Court of Chancery that was at the same time stirring Shakespeare's lawyers, stirring Shakespeare, the business man, and thus stirring Shakespeare, the playwright. The conclusion goes of itself. It was the same juridical equity, the equity of the Court of Chancery at war with the courts of law, that was stirring Falstaff and stirring Falstaff's audience. It was this special, local and transient application to a subject of contemporaneous interest, and not the broader and tamer signification of the word "equity" as equivalent to "justice," that winged the shaft, and made the sally a success. No one knew better than the playwright who wrote it, that

"A jest's prosperity lies in the ear
Of him that hears it, never in the tongue
Of him that makes it." (Love's L. L., V., 2.)

It may be said that, as a politic playwright, anxious to keep on good terms with all sides, Shakespeare seldom mixes with the controversies of his day. That is measurably true; but here was a rare opportunity for a catching side allusion, perfectly good-humored, and without partisan color. The struggle against the constantly growing power of the chancellor was not an ephemeral or an isolated phenomenon, but was simply one phase of the secular contest with absolutism, which, at the time when Shakespeare wrote, was girding itself for the approaching civil war. Any allusion to any phase of that struggle was sure to touch a popular chord, and here we find the dramatist, with his usual non-partisan dexterity, while boldly striking the chord, preserving at the same time his neutrality, without offence to either side. The equivocal meaning of the term "equity" was his opportunity. The risky allusion, if it was risky, was prudently veiled under a broader and absolutely harmless significance.

No Shakespearean scholar will object that it was an anachronism to attribute to the time of Henry IV. an allusion to events of a century or two later.* It curiously happens, however, that there is in reality

these cases, and the authentic record dates they furnish, there may possibly be extracted a more satisfactory clue to the approximate time of production of the play in question than have been found in any data hitherto available, when those circumstances and dates are read in the light of Falstaff's "*no equity stirring*." Should the investigation traced in these papers result, even as a by-product, in reducing to approximate accuracy the real date of production of the first part of *Henry IV.*, it will not have been altogether fruitless.

* Shakespeare's plays abound with anachronisms, and "there is not a single play which does not reflect, in every act, almost, some feature of the age of Elizabeth." (Corson, *Int. to Sh.*, 27, 28.)

no anachronism here, as will be seen by the authorities cited in the note so often referred to. The reign of Henry IV. was one in which equity was stirring in a most lively manner. The Court of Chancery was making vigorous efforts to strengthen and expand its jurisdiction, and its encroachments, as they were called, were alarming the people and provoking the opposition of Parliament. One of the evidences of that opposition is the statute of prohibition of Henry IV. This act, in connection with the statute of *premunire* of 27 Ed. III., afforded the common-law judges a basis for their controversy with the chancellors, respecting the absolute finality of judgments. It is hardly worth while to dwell upon this point, further than to note the coincidence for what it may be worth.

Possibly it may be something of a disappointment to us moderns, who hold no stock in this rather mouldy quarrel, and can at best get up no more than a languid, antiquarian interest in it, to find ourselves obliged to brush away three centuries of dust in order to perceive what appears to be the merest localism, altogether aside from the step and movement of the play. Possibly we had rather not find it so. The venerable gag throws no light upon the Gadshill incident, into the very midst of which it is interjected. Except so far as it shows him a man of the world, in full touch with the very age and body of the time, it brings us no closer to the true inwardness of the naughty, funny, fat old knight, nor does it tend to illustrate his shady relations with Prince Hal. In this respect it is like the "wild duck" which wings its flight across the stage a second later. These are the "favors," not the steps or figures, of the cotillion. Those who had them to handle knew what they were. And we may as well remember, all along, that *we* did not happen to be the persons, or the generation, primarily in the playwright's mind when he launched the squib. Shakespeare was a poet, but he was a poet who meant business. He made plays for money, and he made them to *go*. It is in fact a doubtful question whether he much courted posthumous fame. So far as we know him personally he certainly did not *act* as if he did, however various the sentiments he may have put in the mouths of the characters he invented. What he principally had in view when he made plays, was the current coin of the realm and the live persons who had it in their pockets; and his object was to extract that coin from those pockets and transfer it to his own, for an honest equivalent. He noticed that those live people very much enjoyed a gag, once in a while, and were willing to pay for it, and gags he gave them. And he did it conscientiously, and upon an avowed principle. The principle was that players were and "are the abstract and brief chronicles of the time," and that the purpose of playing was, and is, to show "the very age and body of the time, his form and pressure." *

* It was upon this principle that he gagged and squibbed, in *Twelfth Night*,

In contemplating the immediate but transient effect of localisms upon the audiences for whom they were designed, it must be remembered that it is altogether impossible to reproduce precisely the same effect upon ourselves. Long after the exhibition of fireworks we go over the field in broad daylight and pick up a burnt-out rocket. That is all we see of it, and the difference between us and those who were dazzled by its flight is simply the difference of an interjection. We say "Oh!" but we do not say "Ah!" with a big A, long drawn out.

The peculiar aptness of the word "stirring" to make a picturesque impression of the agitation incident to the great struggle of courts over their jurisdiction, is too plain for comment. Nevertheless it may be worth notice, that the same word is repeatedly used by Lord Bacon in precisely the same connection, and applied to precisely the same subject-matter. It occurs in his remarkable letter to the king of Feb. 21, 1615-16, "concerning the *premunire* in the King's Bench against the Chancery" already referred to.* In this letter he places before the king a very clear statement of the controversy, from the equity standpoint. He cites the statute of *premunire*, 27 Ed. III., and the statute of prohibition, 4 Henry IV.; argues that they were aimed only against foreign, that is, the ecclesiastical courts; refers to the attempt lately made in the King's Bench to bring these statutes to bear against the Court of Chancery, by indicting suitors therein; offers the insidious suggestion that Lord Coke is not to be disgraced "*at this time*;" then suggests "the public affront to your High Court of Chancery (which is the court of your absolute power)," and that use should be made thereof "to settle your authority and strengthen your prerogative;" continues, that nothing is more useful "than upon a just and fit occasion to make some example against the presumption of a judge in causes that concern your majesty, whereby the whole body of these mag-

this same Sir Edward Coke, who figures so largely in this narrative. Coke, as attorney-general, made himself sublimely ridiculous by his vulgar abuse of Sir Walter Raleigh, when prosecuting him for treason. After a free use of the pronoun "thou" in connection with such epithets as monster, viper, etc., he turns on Raleigh ferociously, with the silly, explanatory outburst, which, unfortunately for the great lawyer's reputation, has become immortal, "For, I *thou* thee, thou traitor!" (2 Howell's State Tr., 4.) Shakespeare, catching the humor of the scene, makes Sir Toby Belch say, in giving suggestions to Sir Andrew Aguecheek for his challenge, "If thou *thou'st* him some thrice, it shall not be amiss; and as many lies as will lie in thy sheet of paper." (*Twelfth Night*, III., 2.) It was thus that Shakespeare, the actor, in behalf of his craft, "got even" with the judge who incited grand jurors to indict players as vagrants and a public nuisance. It was thus that Shakespeare, the playwright, illustrates the truth of Hamlet's opinion about players, and applies the words to Coke: "after your death you were better have a bad epitaph, than their ill report while you live." (*Hamlet*, II., 2.)

* In a former paper.

istrates may be contained to better awe," and recommends that the same course be pursued as was taken in Queen Elizabeth's time, in the case of Sergeant Heal, already referred to. This characteristic letter is introduced by an account of a recent interview between the writer and Lord Chancellor Ellesmere, then sick and supposed to be on his death-bed. "I did not fail in my conjecture (writes Bacon) that this business of the chancery hath *stirred* him." And again he writes: "If any of the puisne judges did *stir this business*, I think that judge worthy to lose his place."*

Bacon notices that "this business of the chancery" had *stirred* Ellesmere. Falstaff, quite as naturally, alludes to the same business as stirring things generally.†

It is upon parallelisms of thought and expression like that cited, many of which may be found in the writings of Bacon and Shakespeare, that the work of the dramatist has been, by some modern theorists, attributed to the philosopher. That interesting and somewhat mysterious problem does not fall within the scope of this argument. The line of investigation now being developed was entered upon with entire indifference as to whether the real author was named Bacon, or Shakespeare, or Jack-Peter. As it progressed, however, a side view of that question was opened up, incidentally.

If Bacon, the jurist, is admitted to be the author of the play, the use of the word "equity" in its juridical sense instantly becomes too obvious to talk about, and much of the argument might be spared. The strongest point for the cipher theory (if theory it may be called) is made upon this play and upon the very act in which occurs the expression "no equity stirring." The repetition of the word "*bacon*," the frequent repetition of the word "*Francis*," the introduction of the word "*Nicholas*" (the name of Francis Bacon's father), and the introduction of the word "*equity*" (Nicholas Bacon having also been chancellor) are certainly striking coincidences with the mysterious expression:—"we have the receipt of fern-seed, *we walk invisible*." When, in addition to all this, we find the word "equity" here properly used in its technical sense, just as any lawyer would have used it, and with reference to the very controversy in which Bacon himself afterwards became a prominent actor, it must be conceded that the array is altogether too formidable to be treated with contempt. The difficulty which Mr. Donnelly found in the expression is at once removed.‡ So

* Bacon, Works, xii., 36.

† The same word will be found used in the same connection, by a learned chancery reporter, in a valuable note upon this subject of disputed jurisdiction which goes over the whole ground. He says: "Within a few years after Lord Coke's death, the question of equitable jurisdiction was again *stirred*, and, as it seems, not wholly without success." (2 Swanston's Ref., 26, note.)

‡ "Great Cryptogram," 524.

far from the phrase "no equity stirring" being dismissed as forced and unnatural, he should cling to it as the king-pin of the wain.

On the other hand, there remains here, as in every part of the controversy, the stubborn fact of the essential dissimilarity of style. Not one of the parallelisms cited, marvellous though they be as coincidences of thought and expression, nor all of them together, can satisfy the unbiassed mind that the philosopher possessed the "trick" of the dramatist, nor that it was possible for Bacon to have produced Falstaff any more than it was possible for Shakespeare to have produced the *Novum Organum*.

In addition, we have the special light thrown upon the question by the pending chancery suit of Shakespeare *vs.* Lambert. In the condition of that case at the time the first part of *Henry IV.* was in preparation, already adverted to and to be more fully developed later, we have notice that the practical subject of court equity was at that precise juncture pressing upon the attention of this same William Shakespeare as a matter of urgent business. In this circumstance we find a finger-post that points directly to the man of Stratford as the writer of this particular drama.

It will be remembered that in the outset the burden was assumed of showing that in the passage quoted the term "equity" was used in a secondary sense as referring to juridical equity. The attempt has been made to point out an allusion to what Bacon calls "this business of the chancery"—*the warfare between the courts of law and equity*—with what degree of success the intelligent reader, who will take the pains to verify the citations, will judge for himself. Before passing from this branch of the subject there is another case to be cited, which will probably be conceded to establish beyond all question the allusion to juridical or court equity, quite independently of the controversy referred to.

In the chancery case of Mylward *vs.* Weldon, there being complaint of the inordinate length and prolixity of the replication,* in which "much impertinent and idle matter was inserted of purpose to put the defendants to extraordinary charge," the chancellor ordered "that the warden of the Fleet shall take the said Richard Mylward into his custody and shall bring him into Westminster Hall on Saturday about 10 of the clock in the forenoon, and then and there shall cut a hole in the midst of the same engrossed replication, which is delivered unto him for that purpose, and put the said Richard's head through the same hole, and so let the same replication hang about his shoulders, with the written side outward, and then, the same so hang-

*The lord chancellor being satisfied that "whereas it extended to six score sheets, all the matter thereof which was pertinent might have been well contained in sixteen."

ing, shall lead the same Richard, bareheaded and barefaced, round about Westminster Hall, whilst the courts are sitting, and show him at the bar of every of the three courts within the Hall, and then shall take him back again to the Fleet, and keep him prisoner until he pay ten pounds to Her Majesty for a fine and twenty nobles to the defendant for his costs."*

This most extraordinary order was passed 10th February, 1596-7, and was immediately carried into execution.† Any modern chancellor or judge who should pronounce such a despotic and high-handed sentence would be deemed insane. The modern practice in such cases simply requires the striking out, on exception or motion, of the irrelevant matter, at the cost of the responsible party, and, in very aggravated cases of abuse, the imposition of a reasonable fine. The merciless infliction of unnecessary personal humiliation was an act of tyranny imported from the practice of the Star Chamber. The incident was designed to be and naturally became one of great public notoriety. We hear of no indignation aroused by the spectacle. Harsh and cruel as it was, the action of the court was probably much applauded as a vigorous effort to stamp out an enormous evil which was making the Court of Chancery a reproach. This practical joke of the chancellor at the scrivener's expense was on the popular side. The incident was perfectly fresh when Falstaff appeared upon the stage. A more vivid and picturesque illustration of "equity stirring" cannot well be imagined than this mirth-provoking scene. The grim humor of it jumped exactly with the coarse and cruel sport of that bear-baiting age. To an Elizabethan audience the allusion was immensely comical; and Falstaff's swearing by "*no equity stirring*" was all the more irresistibly ludicrous at the recollection of the unlucky pleader dragged around Westminster Hall from court to court with his bare head stuck through a hole in his own preposterous parchment.

These two explanations are consistent with each other, and their effect is cumulative. Whether we assume, with Halliwell-Phillipps, that the first part of Henry IV. was publicly represented for the first time in the spring of 1597, or assume with Mr. Stokes that it was not exhibited until the close of that year, the result is practically the same.‡ The chancellor's order in the case of the unlucky scrivener was passed, as we have seen, on the 10th of February, 1597, and the chancellor's order, referring the case of Throckmorton *vs.* Finch to the twelve judges, in obedience to the royal mandate, was passed 28th of May, 1597. But Throckmorton's bill and Finch's demurrer, the chancellor's opinion in favor of Throckmorton, and Coke's appeal to the queen to interfere,

* 1 Spence, Eq., 376, note h, *Ld. Camp. Lives Chan.*, ch. 47.

† Preliminary proceedings leading up to this order had been pending since the 7th of May, 1595.

‡ *Outl.*, ninth ed., i., 153; *Sto. Chron. Order*, 54.

had all taken place prior to the last-named date. Here were two contemporaneous cases of great publicity which were conspiring with each other to bring the Court of Chancery and its proceedings into unusual prominence, as the "observed of all observers." Essentially differing in their facts, and differing in their principles, these two cases united in deepening the impression that the Court of Chancery was not a slumbering volcano, but in a state of active eruption. The combined impression made by these two cases was calculated to penetrate through every stratum of society, from the highest to the lowest. If the intelligent and thoughtful classes were more concerned with the grave historic issue involved in the fresh outbreak of the "war between the courts," the roughly facetious horse-play of the chancellor and the scrivener was a screaming farce for the groundlings, the attorneys' clerks and the leather-jerked apprentices. It has already been seen that at the same precise time, the playwright himself, as a business man, and for business purposes, had his own attention fixed upon the Court of Chancery, where an important case was pending in which he had a family and personal interest, and which he was backing, as will be shown hereafter, to the full extent of his means.*

These three chancery cases, together with the criminal case of Sergeant Heal, heretofore considered, the criminal cases antecedent thereto (see synoptic note), and the necessary inferences deducible therefrom, supply the data, now for the first time collected and presented, upon which is based the thesis which it is the object of these papers to develop. Let the citations be carefully verified, and these cases studied, and the candid Shakespearian scholar everywhere will, it is confidently submitted, concur in the opinion, that in the expression of Falstaff, "*There's no equity stirring*," the word equity is used, not only in the Bible sense of justice, but also in the juridical sense of the equity of the Court of Chancery, and in this sense with a two-fold application. If that be true, or even probably true, it follows at least that no future edition of Shakespeare can afford to maintain the exhaustive silence of all preceding commentators. Their motto must be, when they come to the highway-robbery act,

"Wherein fat Falstaff
Hath a great scene: *the image of the jest*
I'll show you here at large." (*M. W. W.*, IV., 6.)

It has doubtless been already anticipated that the fourth and last signification attributed to the phrase, refers especially to the chancery suit of Shakespeare *vs.* Lambert, and to the particular "equity," in the professional sense of an *equitable right or claim*, which it was the object

* Shakespeare *vs.* Lambert.

of that suit to vindicate. The fact of that litigation has been long known, but little use appears to have been made of it, as bearing upon the life and writings of the dramatist. We are indebted to the research of Halliwell-Phillips for the unearthing of the original documents. These documents, when closely examined, are full of suggestive detail respecting an interesting phase of the author's life and preparation for his life-work. Read between the lines, they plainly tell us where Shakespeare got his legal education. They thus supersede and make superfluous the theory that he must have been a lawyer, or at all events, an attorney's clerk or office-boy. In the elaborate scheme of conveyancing to effect an iron-clad mortgage of his mother's "Asbies" estate to her brother-in-law, Edmund Lambert, and in the various suits, both at law and in equity, which grew out of it, Shakespeare inherited a rich mine of legal lore (or legal ore) quite enough to furnish forth all the technical nuggets which have given so much trouble to the critics. Add to this that his father, John Shakespeare, appears to have been a champion litigant in a litigious and pettifogging burgh, and we find the dramatist born into a legal atmosphere.*

The very natural inquiry remains to be answered—why has this last-mentioned explanation also escaped the attention of the learned commentators?

It may be recalled that the silence of the commentators with regard to the explanation previously offered was attributed principally to a misleading statement of dates in Blackstone's Commentaries. For their being thrown off the scent in the present instance, an error of an old chancery reporter, worse and more dangerous than Blackstone's, because more obscure and difficult of detection, may possibly be held responsible.

It unfortunately happened that, outside of the original record remaining in MSS. in the registrar's custody, the only chancery reporter who professed to report the case of *Mylward vs. Weldon* was a very inaccurate one named Tothill. When Aaron Burr was a practising lawyer in New York, he cited a case from Tothill's reports in argument before Chancellor Kent. Chancellor Kent condemned the book as "unfit to serve as a guide and unworthy to be cited as authority."†

In undertaking, many years after the event, to report this case of

* See the cases, some two or three dozen, in which John Shakespeare figured as a litigant, collected in *Outl.*, ii., 215, etc., ninth ed. Nor was he litigant only, when little Billy Shaxbere (as his school-master spelt it) was an inquisitive boy of five years old, he might have seen his father presiding as judge of the Stratford Court of Record. (*ib.* ii., 232.)

† *King vs. Baldwin*, 2 *John. Ch.*, 558, 9.

Mylward *vs.* Weldon, the author referred to, with his usual inaccuracy, assigned a wrong date to the notable order of the chancellor. In point of fact, he was so wide of the mark as to refer it to the eighth year of Elizabeth.*

This was some thirty years earlier than the actual date, which, as has been seen, corresponded practically with Falstaff's first appearance upon the stage.

This error remained undetected during the whole period of the early commentators—that is to say, during the time when the ruts were being worn which have been mainly followed since. And so the matter stood until nearly the middle of the present century, when two epoch-making works of original research appeared almost simultaneously. In November, 1845, Lord Campbell published his "Lives of the Chancellors," followed soon after by Spence's "Equitable Jurisdiction of the Court of Chancery." Each of these writers independently, the one ignoring, the other exposing the blunder of Tothill, took the trouble to search the original record in Mylward *vs.* Weldon,† and each of them restored the correct date, as already given upon their authority.

It is true that this authentic correction has now been before the public for nearly half a century. The simple fact appears to be that during all that time no one while reading the true report of this case has happened to think of Falstaff and his queer allusion to "equity stirring," and no one while enjoying Falstaff has happened to think of the equally queer order of the chancellor in Mylward *vs.* Weldon. The close relation between those two distinct and apparently incongruous lines of thought is at once established by the simple recognition of their coincidence in point of time. The discovery of that relation was not likely to be made otherwise than by one of those lucky accidents which sometimes happens to a professional detective, who stumbles upon a lot of stolen bonds which have never been missed, or whose loss has been forgotten, while tracing the larceny of a watch.

Lord Campbell was a well-read Shakespearian scholar, and it is not a little remarkable that this coincidence should have escaped his notice. In one respect, Lord Campbell's report of this case is more accurate than that of Mr. Spence. The latter, not observing that the date of the order, "10 February 1596" was "old style," attributes it to Lord Keeper Puckering. Puckering, however, died in the preceding April, and was succeeded by Sir Thomas Egerton, afterwards Lord Ellesmere, to whom Lord Campbell correctly refers the torture of the unhappy scrivener.

*Tothill, Rep., 101.

† Reg., Liber A, 1596, folio 672.

But the special business here undertaken is to show from these authentic documents what particular reason operated upon the mind of the playwright at the time the character of Falstaff was under construction, to put in Falstaff's mouth a hit at Lambert. It would be manifestly impossible to develop this topic satisfactorily within present limits. The reader is, therefore, asked to "suspend judgment," so far as this point is concerned, until a future occasion, or, in the meantime, to investigate the documents for himself.*

CHARLES E. PHELPS.

(To be continued.)

* Consult the references under the word "Asbies" in index to "Outlines," ii., 419, ninth edition. The learned reader will note, with some surprise, that a scholar so accurate and well-informed as Mr. Halliwell-Phillipps should have mistaken an action of *assumpsit* in the Queen's Bench for a bill in equity to enforce a specific performance, and especially that so palpable an erratum should have been allowed to pass, uncorrected, through all the editions of his invaluable work.

THE SUPERNATURAL IN SHAKESPEARE.

I.—IN GENERAL.

At the outset of any critical study of Shakespeare's use of the supernatural one nice distinction must be clearly made. For mere enjoyment of the drama, the student, without analysis, comparison or conscious intellectual conception, knows and feels the effect of the dramatist's means without knowing what, why or how.

There is a plainly marked difference between the use of actual supernatural forces as dramatic agencies and the use merely of man's belief in the supernatural. A ring encircles Aladdin's finger; he wishes, and palaces arise about him as airy spirits hover in the air at the beck of the magic-garment-clad Prospero. This is using the supernatural—a force unknown in the practical affairs of life—to work out results impossible to the ordinary forces of life and nature. A suggests to B, who is superstitious and credulous, that C has a ring whose possessor may have gratification of every wish. B may seek its possession by fair or by foul means. Thus A, by mere suggestion, directed to B's superstitious credulity, may start a train of human activity, leading to results, criminal or not, according to the moral nature of B. If he resemble Macbeth he will scruple at nothing; if he be morally sound, although profoundly superstitious, like Banquo, he will at least do nothing unlawful, if he do anything. This is using, not supernatural power, but man's belief in the supernatural, as an agency for the production of human activity and results. The first of these methods is the poetical method. Homer, Dante, Virgil, Tasso, Spenser and hundreds of poets have used this supernatural, both in so far as it lies back of the profound human belief in a universal moral government, and in so far as it lies back of human superstition and belief in a brood of creatures, good and ill, subordinate to and agencies of, or in illogical antagonism to the ruling Good. The poet's field is a plane so far above the line of practical daily life that he may use all conceivable agencies, reach out into the unknown, traverse the unknowable and people these fields with all forms imagination may conceive or fancy depict. He is only constrained to poetry, fitness and a skilful use of the supernatural. Leaving out poetry, this supernatural element has not been very happily or very effectively used by any writer in any field of literature, Shakespeare and Goethe alone excepted. Schiller's sheet-iron thunder, farthing-dip lightning and the apparition of a knight warning Joan are neither necessary nor happy incidents in a drama which is otherwise the only respectable presentation of Joan in literature. Molière, in the curiously misnamed *Le Festin de Pierre*, em-

plays a supernatural which is neither after the poetical nor after the legitimate dramatic method; while he has furnished in the stilted and artificial supernatural of *Psyche* and other comedies an instructive contrast with the airy and graceful creations of the English master in *The Tempest* and *A Midsummer Night's Dream*. The Frenchman must borrow an element which flows naturally out of the English and the German imagination, and the French supernatural, whether it be the clumsy device of *Le Festin de Pierre*, the false classical of *Psyche*, or the *Peau de Chagrin* of Balzac, seldom rises above the grotesque supernatural of Voltaire's witty but shameful *La Pucelle*. Bulwer, in a short story in *Blackwood's* for about 1848, in "Zanoni" and in "A Strange Story" has been perhaps least unsuccessful in the use of the supernatural in novels, unless the subtle spirituality of Hawthorne may be called the supernatural. It is idle to multiply references to the use in general literature of an element which has only been successfully used in poetry and by Goethe and Shakespeare in the drama.

The dramatist's field, strictly speaking, is the plane of practical human life and activity. Superstitious beliefs, and the perpetuity of these with only changes of form, so that the witchcraft of yesterday becomes the spiritism of to-day, hardly warrant him in the use of that which transcends the common experience of men. But, while he may not use supernatural forces in the practical drama of human life, the dramatist may well use superstitious beliefs which belong in their fundamental idea to all ages. These beliefs grow out of a profound faith in a power and an intelligence above and beyond human ken. There is a continual tendency in the human mind to go beyond the belief in a wise and powerful moral government of the universe, and to people every crack and cranny of the vast unknown with a brood of secondary and derivative intelligences, transcending the human and falling short of the divine. It is exhibited in the angelology and the saintology of orthodoxy, as well as in the demonology, withcraft and spiritism of popular superstition. These differ in kind, but not in principle. Shakespeare's dramas are all written with direct reference to the idea of a vast moral government of the universe. Indeed, as no intelligible social order can exist without this, no genuine, living and lasting drama is possible without it. Beyond this continual reference to the idea of an intelligent, wisely directed, moral government, Shakespeare has rarely and sparingly used secondary supernatural agencies. His method of using these differs from that of all other dramatists and all other writers. Nothing better attests the clearness and accuracy of his artistic judgment as to all that bore upon his art. It is remarkable, too, that, even with the aid of his example, no other writer has drawn the fine and yet clear-cut distinction between using supernatural forces and the use of man's belief in the supernatural. While he was a profound believer in a vast scheme of intelligent moral government, Shakespeare was clear-

ly not a believer in the superstitions which are so closely connected therewith, or in the marvellous forces with which that belief has peopled the universe. He went no further than his art was prompted by existing human beliefs toward the use of the maybe of an unknown world. Even then, in his practical dramas of human life, he allows no result to be wrought by any agency unknown to common experience. Belief in a profound supernatural scheme of life and nature is the very foundation of *Hamlet* and *Macbeth* and their chief and mysterious charm; the wild, fantastical offshoots of this, the various phases of superstition, the derivative ghostly beliefs of men of all ages, cast over both a spell of mystery and envelop both within a weird and wonderful atmosphere of poetry and yet elude our grasp and vanish into airy nothing when we attempt to treat them as actual dramatic agencies. When analyzed they cease to be existences or agencies and become mere beliefs in these. In nothing is the skill of the poet more clearly shown than in his use of mere belief in the supernatural where all others have used the *diabolus ex machina* and introduced actual supernatural forces, working out results impossible to natural causes and unknown in real life.

Goethe, in *Faust*, escaped the dramatic law that agencies used must not transcend the natural, however much they may lie out of the ordinary, and that, too, even while he was sparingly using the element of comedy in the pursuit of his profound and serious purpose. But *Faust* can scarcely be classed with the dramas of human life. It is this, but also something far beyond this. It is a poem as far-reaching, as lofty in its scope and as profound in philosophy as "Paradise Lost" or the "Inferno." Goethe dared in dramatic form overleap the boundaries of practical human activity and overstep the confines of this finite world; Shakespeare, practical, even to the reigning in of his mighty imagination to serve his practical dramatic purposes, steps, in *Hamlet* and in *Macbeth*, to the very verge of this world; but he pauses upon the border.

Goethe in *Faust*, Milton in *Paradise Lost*, Homer in the *Iliad*, and in the *Odyssey*, Tasso in *Jerusalem Delivered*, Spenser in *The Faerie Queen*, Schiller in *Joan of Arc*, Molière in *Le Festin de Pierre*, Bulwer in his spiritistic novels and Shakespeare, when he ascended the highest heaven of invention and invaded the realm of pure poetry in *The Tempest* and *A Midsummer Night's Dream*, have used the direct intervention of supernatural power, working out results impossible to natural forces. Shakespeare alone has used man's belief in the supernatural as a dramatic agency, securing, it is true, a dark and mysterious poetic setting for his two greatest dramas, beguiling the spectator of a momentary belief in the presence of an actual supernatural, but carefully avoiding all results due to supernatural agency, and subtly leaving the spectator feeling that, after all, common sense

and common experience have received no violence. The spectator may fear or court the supernatural for himself and yield it belief as to distant others and as to remote affairs; but none is conscious of any direct supernatural interference in his own affairs or in those of his neighbors. Hence the dramatist must carefully avoid straining the belief of his audience by the use of forces unknown in practical life. The more his drama lies within what is strictly the realm of the drama, the field of human activities and relations, the more he must exclude the idea of supernatural forces. In the opera, in the drama pitched upon a lofty poetical plane, and in comedy more than in tragedy, he may with due caution depart from this rule. In the practical dramas of *Hamlet* and *Macbeth* Shakespeare confines himself to a rigid use of man's belief in the supernatural, tolerating no supernatural power working out results. Even this use of the mysterious is only allowable because of the dignity of the subjects, the lofty poetical and moral plane occupied and the profound philosophy which underlies these dramas. In *A Midsummer Night's Dream* and in *The Tempest* the poet has used the direct interposition of supernatural forces, justified by the fact that these lie within the realm of almost pure poetry, far enough above and beyond human life to make such agencies tolerable, although both contain a thread of practical dramatic development.

The dramatist is warranted in his use of man's mere belief in the supernatural by thousands of scattered myths and traditions of the people of all ages. No genius has ever yet, or ever will, transcend the scattered conceptions of the human race, which embody human thought, poesy, wit, wisdom and intellectual tendencies. It is the part of genius—whether a Bacon perceiving and reflecting to an age its own nascent, scattered and occult philosophical thought, a Chaucer embodying in verse the growing poesy and wit of a rude age and people, a Goethe weaving divine song out of a thousand scattered Faust myths and unsuccessful uses of these in literature, or a Shakespeare gathering up the widely-strewn practical wit and wisdom, social relations, human activities and entanglements and giving them poetical setting and form—to collate, remould and fuse into one grand whole that which the people have developed and embodied in scattered and fragmentary myth, legend, song, story and ballad.

Shakespeare, of all artists, has carved least and altered least the rude materials he has found scattered about and adapted to his great uses. Despising no quarry, disdaining no previous work of any humble delver, making beautiful in use trifles as light and unsightly in themselves as the twigs and dry leaves that litter the autumn ground, none has wrought with more originality, or more truly created, because none has so breathed the breath of life into the dry, dead, and cast-aside. Myth, tradition, folk-lore and the ballads of all ages are full warrant for Shakespeare's method with the supernatural.

The people of Eira, a town of Messenia, were told by the oracle that their city would fall when a he-goat (tragos) drank of the waters of the Neda. After years of successful resistance some wiseacre found the branches of a wild fig tree bent down and drinking of the waters of the Neda. In the Messenian dialect tragos stands for a he-goat and for a wild fig tree. It was another instance of double-speaking oracles. It was announced that the oracle was fulfilled. Tragos had drunk of the waters of the Neda. The Spartans, buoyed with hope, assaulted Eira, and its people, depressed, made feeble resistance. Destruction came, as was foretold; due, however, to superstitious belief and not to prophecy or supernatural power. It is hardly necessary to point out how closely this resembles in principle the incident of the boughs in *Macbeth*, when Birnam wood came to Dunsinane. If the practical dramatic genius of Shakespeare had framed this legend it could not have embodied more aptly the principle of his method with the supernatural in *Macbeth*. The Ithomeans were told by the oracle that, whichever—Spartans or Messenians—first laid before the altar of Jove in Ithome a hundred golden tripods would conquer in their strife. Desire to form a worthy offering and dearth of gold delayed the Messenians. The Spartans managed at once to form and introduce into Ithome and to lay before the altar a hundred small tripods. As soon as the Ithomeans discovered this fulfilment of the oracle they were overwhelmed with fear and, being at once attacked, fell easy prey to their foes. Destruction was due to their own superstitious beliefs and not to any supernatural power. The oracle knew nothing more, if anything at all, than what results follow reliance upon superstitious beliefs. Macbeth, the valiant soldier, cowed and barely taunted into combat, fell an easy prey to Macduff when he was told that his foeman was not born of woman, although of woman he was born. The result was not even fulfilment, but the merest apparent fulfilment, of a double-speaking oracle. These myths, hundreds of which might be given, are referred to in order to show that, with all his gifts of song, far-reaching imagination, broad philosophy and knowledge of humanity, Shakespeare was a severely practical dramatist, of clear, sound judgment, whose conclusions and embodiments, when he is dealing with the manifold and bringing vast unity out of scattered elements, are the conclusions the people have embodied in scattered myth, ballad and proverb. If the dramatist seems to have borrowed all the situations in *As You Like It* from the Chaucer Gamelyn and Lodge's novel; much of the very phraseology of *Macbeth* from the dead dry pages of Holinshed; sentiments, sentences and speeches from Plutarch; suggestions, fragments of plots and whole plots from anywhere; he also seems, even in the use of the supernatural, in a manner peculiarly his own, to have followed closely the suggestions of myth and tradition, guided, not perhaps by study of these, but by his own practical judgment.

It is one of the mistakes of third-rate delvers in the literary field to take their grotesque for the original. Genius knows that, while one may gather up and weave into a sublime whole, as from the very nature of the case the many cannot do, none can vie with or excel the many in doing that which lies within their own narrower field. Hence it is that there is almost no instance, if there be any instance, of pure creation in literature. Back of all the masterpieces lie myth, song, ballad, tradition and folk-lore—a thousand popular suggestions to the creations of genius. To every work of genius a thousand single delvers have contributed something. Lodge's "Rosader," the "Coke's Tale of Gamelyn," and back of these we know not how many rustic tales, ballads, bits of homely song and story, embodying the germs of the rude and crude but highly dramatic story of Gamelyn, went to the making of *As You Like It*.

Four dramas excepted, all other apparent uses of the supernatural in Shakespeare may be briefly dismissed. The fiends that appear to Joan in *Henry VI.* merely suggest the English historical view of the infernal character of her power. They are not made dramatic agencies at all. They do nothing more than suggest infernal power and the end of it. If they suggest such power in her, it is nowhere manifested. Her effects are all wrought in purely natural ways, so far as dramatic results are concerned. For all dramatic effects that appear, Shakespeare's fiends and Schiller's supernatural agencies are entirely unnecessary, and it ought to be a dramatic as it is a legal maxim that *de non apparentibus et de non existentibus ratio est eadem*. The ghosts that appear to Richard III. and to Richmond are only personifications—for dramatic effect, but without dramatic results—of such good and evil dreams as may be supposed to appear to the good and to the bad on the eve of a combat, growing out of their past good and evil deeds. The ghost of Cæsar appearing to Brutus is a device of the same kind. The spirits which appear to Catherine in trance or dream, in *Henry VIII.*, are precisely similar in character. None of these are dramatic agencies. None of them works out a single dramatic result, or is a cause of action. In all cases of apparent supernaturalism, outside *Hamlet*, *Macbeth*, *Midsummer Night's Dream* and *The Tempest*, the dramatist has simply personified dream, sentiment or trait, merely as a device for making the intangible apparent to the audience. He has taken advantage of the popular superstitions and belief in ghosts to the extent of using this means to his dramatic end. Such device scarcely differs in principle from the use of soliloquy as a means of making thought and interior motive and sentiment apparent to the audience. It is the same device that is resorted to in the banquet scene of *Macbeth*, where the king's fears and remorseful horrors are made apparent in a ghost of Banquo, visible only to Macbeth and not to his wife nor to their guests, and not even absolutely necessary to be

made or always made visible in actual representation. A precisely similar device is used in the chamber scene in *Hamlet*, where the Dane sees a ghost which is invisible to his mother; and clearly—judging it by the context and stage directions of the Quarto—a creation of his own imagination. Such devices are allowable, and are such agencies in the dramatic art as may be termed artificial means of making apparent that which is, but which cannot be expressed by ordinary means.

II.—A MIDSUMMER NIGHT'S DREAM—THE TEMPEST.

Shakespeare was never so wildly frolicsome in sonnet, poem, or drama, as when he wrought *A Midsummer Night's Dream*. The poem opens with highly poetical and polished, although somewhat stilted and artificial, verse, presenting the germs of about all there is of simple plot. It is the Attic court of Theseus, on the eve of his marriage with Hypolyta. In lines in direct contrast with the light and graceful verse, which composes the bulk of the poem, these discourse of their love and coming marriage. Unto them comes an irate father complaining of an ungrateful daughter, who would wed with whom her heart dictates. After him his daughter and her lovers. Theseus, on the eve of his own nuptials, condemns the daughter to death, to chaste, unfruitful maidenhood, or to marriage with a hated lover. The lovers plan flight and appoint a trysting time and place in the wild wood. The spectator is advised of a shifting of the scene to the forest abode of elves and fairies. At once follows a scene of yokel absurdity, furnishing a sharp contrast with the poetry of the first scene and with that which follows.

In the second act we are in the haunts of elf and fairy, where Puck plays wanton pranks, and sylvan denizens of shady nook, flower-cup and curled-leaf disport themselves in careless, wanton ease. By such light, brief touches as are found in *As You Like It*, unmarred by the labored description of the Ruskin class of word-mongers, the poet has drawn a graceful picture of wild woods, flowery glades and mossy dells, haunts of fairies, pyxies, elves and the wanton Puck. The poetry has changed from the stilted verse of the first scene to the light, airy and graceful. We lie in cool shadows and bask in the chequered moonlight and watch golden star-beams play upon leaf and sward. We nod and dream and listen to the droning beetle and the drowsy hum of insects. The spell of the poet falls upon us like a magic gossamer vestment, and we are his slaves—senses enthralled, common sense asleep, belief beguiled—for any call he may make upon our credulity.

With poetry transformed into the wild fantastic, we are in the fairy court, listening to the dialogue of Puck and the fairy, and the querulous bickerings of Oberon and Titania, with a growing interest in fairy domestic intrigue and quarrel. About us lies a Sleepy-Hollow spell of enchantment, lulling the senses, beguiling belief and indispos-

ing us to thought and action. The sensuous poetry lulls us asleep and puts us a-dreaming.

" . . . I serve the fairy queen,
To dew her orbs upon the green;
The cowslips tall her pensioners be,
In their gold coats spots you see;
These be rubies, fairy favors,
In these freckles lie their savors:
I must go seek some dew-drops here
And hang a pearl in every cowslip's ear."

From this on, we lie "like gods reclined, careless of mankind," our chief interest in the fairy realm and what it may work upon bewildered mortals. The men and women of the drama have been led into fairy wilds, where they are the sport of Puck and the care of Oberon. This and a bit of fairy domestic drama form the slight plot.

No poet has sketched in such graceful verse, fresh and sweet as the wild-wood notes of philomel, the airy creations which popular superstitions of northern lands have woven, with fairy, kelpy, pyxy, elf and brownie, into lowly but sweet rustic song and ballad. Milton's mask of Comus is not more gracefully conceived, nor half so light and airy in execution.

" I know a bank whereon the wild thyme blows,
Where oxlips and the nodding violet grows:
Quite over-canopied with lush woodbine,
With sweet musk-rose and with eglantine;
There sleeps Titania some time of the night,
Lulled in these flowers with dances and delight,
And there the snake throws her enamelled skin,
Weed wide enough to wrap a fairy in."

There blossom and flower-bank seem to speak to us. Some such knowledge and love of wild flowers appears in this from Lycidas; but it lacks the subtle charm of the first, and the flowers only speak to us through the classic Milton:

" Ye valleys low, where the wild whispers use
Of shades and wanton winds and gushing brooks,
On whose fresh lap the swart-star sparely looks,
Throw hither all your quaint enamelled dyes,
That on the green turf suck the honeyed showers,
And people all the ground with vernal flowers.
Bring the rathe primrose that forsaken dies,
The tufted crow-toe and pale jessamine,
The white pink and the pansy freaked with jet,
The glowing violet,
The musk-rose and the well-twined woodbine,
The cowslips wan that hang the pensive head,
And every bower that sad embroidery wears;
Bid amaranthus all his beauty shed,
And daffadillies fill their cup with tears,
To show the laureate hearse where Lycid lies."

Whether such device is conscious or not, we have in the second act another of those effective contrasts, of which there is no question as to the effect. The highly poetical, although a bit stilted verse of the first scene is contrasted with the flat nonsense of the artisans; and the poetry of the first scene is itself, metrically and in fancy, in sharp contrast with the wild woodland poetry of the fairy scenes. And now the insipid folly of the artisans, amusing only for the solemn earnestness of their effort to please, is thrown into strong contrast with the poetry of the woodland scenes. Again in Act V., as if the artist were expressing his own judgment and justifying his own method through the prince, Theseus reviews and rejects all proposed scenes of sense, heroic theme and poetry, and chooses for wedding-eve diversion the folly of the artisans, which closes and heightens the effect of all the scenes of court life, fairy scenes, spell and enchantment.

In a practical drama of real life, no matter how poetical, the supernatural used in this play and the effects wrought would have been out of place. *As You Like It*, poetical as it is, with its mingled human relations, its passion and emotions, its elaborate plot, its philosophy and its serious purpose, could not have tolerated the effects which are so skilfully and happily wrought and maintained in *A Midsummer Night's Dream*. The spectator is borne into the wild wood and lulled asleep in the haunts of elf and fairy. There the artist allows him to be disturbed by no profound passion, no deep, earnest sentiment, no strong emotion, no train of underlying philosophy, no character-sketching, no intricacy of plot. He has rather sought to blunt the intellect, to intoxicate the senses and to calm the emotional nature. Thus we are beguiled into full sympathy with the poet. We linger with him under the moonlight, amid the confused lights and shadows of tangled vine and waving bough, unmoved by passion or thought, in a state of soft, sensuous revery, drawn to accept his wildest flights of the imagination, lulled to feel only the charm and the beauty, overlooking the improbability of his grotesque and fantastic creations. The actual world is banished, realities dismissed. We dream and dream only, wake and would fain sleep and dream again such delightful dreams.

Of all the practical dramatic elements Shakespeare wielded so well, he has embodied but one in this drama. Its action is perfect, as if the dramatist would hurry us upon the swift wings of dramatic action, bereft of power to analyze. The means employed for the creation of this spell world are not hard of apprehension. By lifting us to a lofty plane of pure poetry, heightened by apt contrasts, and leaving us undisturbed by thought or passion, the poet has simply laid us under a Prospero spell in his own enchanted land, where all things loom up strange, unreal, fantastical and phantom-like. For the moment his magic wand makes us see, with eye for naught else, his

own phantasmagoriæ, such visions as the hypnotized see with the fancy's eye of the medium. We lie steeped in a sensuous, careless enjoyment, hugging in luxurious ease the dreamy thought that thought is banished, emotion lulled into calm and action put afar from us. Bottom is invested with the head of an ass and beloved of a royal fairy beauty; fairies ward off snail and spider; mysterious flower juices change the natural affections of men and fairies. Thus effects directly due to supernatural forces are wrought and we accept it all. Such thread of thought, such meagre sentiment, such purposely mechanical plot, with situations due to ludicrous blunder and physical mishap, such bits of court wit and wisdom, such clownish efforts to please and such merely outlined character-sketching as there are, far from suggesting the real, serve rather to banish and throw further into the background a reality so thin and vague. Such island bits of reality and common sense, contrasted with, only broaden the ocean of a delicious unreality. This subtly composed poem, with merely a thinnest thread of the real, rather emphasizing the absence of reality, not arousing but lulling common sense, is only supplied with threads of reality to keep it from being sublimated into such gorgeous but far, vague and unreal cloud effects as the declining sun weaves upon the western horizon, fading into the pale olive of twilight and dying away in the evening gray. The poem really closes with the first scene of the fifth act. We are back again whence we started, in the real but poetically exalted life of polished Athens, with its artificial civilization, cultivation and the wit of courtly knight and dame. The court, the guests, all the human characters, have returned from fairy-land, conscious of a wild, strange night spent in the woods, but as ignorant of the spell-world in which they have lived as the man who has dreamed and forgot all but that he has dreamed. The spell is dissolved, the dream ended and the lovers are about to enter a new dream-land of wedded bliss. The pretty conceit of the fairies coming to bless the nuptial home is surplusage.

The Tempest is a far loftier dramatic creation than *A Midsummer Night's Dream*. Its purpose is serious and its philosophy far-reaching. It is more a drama of practical life and less a mere delightful poem; and yet, with loftier poetry, it is only less a poem, because it is more a drama. The dramatist creates his poetic field by taking us to a far and unknown island in the remote solitudes of distant seas. Our insulation is so perfect that magic, spell and enchantment in nowise shock the belief. For every day common sense, the poet has gifted the spectator with his own poetic insight. For what is he has substituted what may be, and so confounded the dream of this life and reality with the dream-world of the poetical philosopher, that the one is, for the time, as real as the other. Caliban, the ugly and misshapen, a cross between the devil and a foul sorceress, may be, in his obdurate

and vicious nature, the wild, untamable forces of nature found by the exile upon his remote island home, exuberant, intractable and hostile to human life. The rank fertility, the richness of life that kills, miasm, noxious insects, reptile and beast may be indicated. Ariel may be the means used by knowledge, moral power and will to subdue the wayward forces of nature. The sweet home, the school of his young daughter, created by the human intelligence out of these chaotic conditions and amongst these warring forces, is the result of Prospero's use of his moral and intellectual powers and of knowledge, devotion to which cost him his dukedom. The wild natural untamed beauty and fitness of the island and its crude deformity and unfitness may be typified in Ariel and Caliban. Or Caliban may be simply the poet's creation of man in his pure brute form, the natural man with instinct and power to rise, capable of a certain intelligence and development, gifted with a savage expression of the poetry of nature, whether or not perceiving its beauty; not the degraded man, after he has risen and fallen, half devil, with naught but brutishness left, a yahoo, his life-chance wasted and gone. This embodiment of mere desire, pure lust and sense, with such intelligence and poetical perception as may sadly go with these, is contrasted with Trinculo and Stephano, men fast on their way to Caliban's level and lacking Caliban's poetry of expression. In outward form, in brutish passion and in all but poetry of expression, Caliban so closely resembles Swift's yahoos, that the hard, unpoetical satirist of humanity might have borrowed from *The Tempest* his cynical contrast of man with good horse-nature. Suggesting and leaving the allegorical, it is likelier that, to the poet's mind, Ariel and Caliban were simply fantastic poetic creations, useful to his poetic purpose and not to be strained beyond it, creations growing out of the philosophy of the poem, as it is expressed by Prospero:

" . . . These our actors,
As I foretold you, were all spirits, and
Are melted into air, into thin air;
And like the baseless fabric of this vision,
The cloud-capped towers, the gorgeous palaces,
The solemn temples, the great globe itself,
Yea, all which it inherit, shall dissolve;
And like this insubstantial pageant faded,
Leave not a rack behind; we are such stuff
As dreams are made of and our little life
Is rounded with a sleep."

This magic world, with its spirits of air and earth, its Ariels and its Calibans, that surrounds and enfolds the real, is not more fleeting and unsubstantial than the equally magic world we live in and all that in it is. This world is real to us, its denizens; the magic world may be as real to its airy forms. Did we know it—to those who do know it—it is as real as this world. Beyond and further-reaching than this

thought, to him who understands its laws and can command its agencies, the forces of the magical world about us may be used by the enlightened will of man as easily and to as wise or as evil ends as the forces of this world. Natural and supernatural, in this view, are blended, and all is real, or all is unreal. The only difference between them lies in that we know the one and are ignorant of the other. Theosoph and spirit medium claim the Prospero gift; and the poet has suggested only what thousands of others have believed. Thousands now believe in the capacity of man to discover and to use extraordinary forces, spirit agencies, the means of the theosoph, and the gifts of hypnotism, clairvoyance and mind-reading, affording a power dependent only upon knowledge of existing natural forces, hitherto unknown. Whether believing or not, the poet is justified in his poetic use of all this by existing beliefs, which, baseless as they may be, yet go beyond mere superstition and become worthy to be called inquiry, although it be far too credulous and unphilosophic inquiry. Under this poetic philosophy, Ariel and Caliban become simple poetic agencies in the drama, forces supernatural in the sense of being above and beyond the natural, as it is ordinarily known; and yet, assuming the existence of such forces, perhaps as natural as any we know. They are forces, discovered and used by Prospero's enlightened spirit, as natural to him and as easily harnessed to his uses as electricity, which must have seemed supernatural to the early and ignorant man.

The Tempest opens with a scene which is, in its merely written words, as barren as the mere written score of a divine harmony of Beethoven. The commonplace jargon of sailors and the querulous fears and hopes of passengers in a foundering ship, require the whistling of the wind through the rigging, the crash of timbers and falling spars, the shock of thunder and "the nimble stroke of quick cross lightning," the shattering of tree and rock, the swaying of forests and the wild deep roar of the ocean—nature's grandest chorus, not in harmony, but in glorious symphony. All this to the eye and the ear of the imagination that is gifted to see and to hear, is written there as plainly as nature's sublimest symphonies may be written in the dead, cold notes of a great master's divine harmony. From the grandeur of the opening storm to the peaceful cadence of the "up anchor for home" after the close we are surrounded by magic and incantation. Next, after the storm, Prospero, by a subtle stroke, is represented—not in the exhibition of supernatural powers, but, as if it were a matter of course—putting off his magic garment. His daughter's inquiry is not whether he can command the elements, but whether he has raised the storm. A superficial glance at the wild and weird in *The Tempest* shows that these elements are not used as similar powers are used in *A Midsummer Night's Dream*. Where they are thrown into strong relief in the latter by a thin line of reality, in *The Tempest* they are put to

work like obedient slaves upon the strong realities of the drama. With equal dramatic action there is less of plot and more of dramatic development. What may be termed the physical dramatic elements, mistake, blunder, the merely grotesque and burlesque, play but small part in *The Tempest*. The drama is chiefly devoted to moral and intellectual forces, working out moral results, either through natural or through supernatural means. Where all in *A Midsummer Night's Dream* lies under a spell of magic and supernatural forces rove uncontrolled, with but slightest thread of submission to Oberon, in *The Tempest* these are all under the iron domination of one enlightened human will. The one exhibits a wanton, grotesque and fantastic supernatural; the other, order, arrangement and subordination of its wildest forces, with moral power at the helm. In the forces subordinated to the will of Prospero there is no moral quality. Ariel is ungrateful and, beyond this, negative; Caliban is gross, but irresponsible. The sole moral force lies in their human master. The theme is a past crime: the ousting of the lawful duke by his brother, with the aid of his sovereign; the exposure of the duke and his daughter to death at sea; their escape and life upon a remote island. All this is related and therefore inducement to and not a part of the dramatic action. The drama consists of the approach of a fleet; its dispersion by storm; the seeming wreck of the ship which bears the king, his heir, and his brother, the usurping duke and their courts; their escape and scattering about the island; the preservation of the king; the meditated crime of the duke and the king's brother and its frustration; penitence or abandonment of criminal purpose; the restoration of the rightful duke; the penitence of the king; the sweet natural love of Ferdinand and Miranda; the betrothal of the duke's daughter to the heir to the throne; the merging of kingdom and dukedom into the line of the rightful duke and the leading of a past wrong done to happy results and peace. All this might have been worked out by natural causes, through shipwreck of the royal and ducal party and solitary reflection upon a remote island, without necessity for the intervention of supernatural elements. The poet seems to have been as careful in *The Tempest* to confine his supernatural to unessentials as he was in *A Midsummer Night's Dream* to turn his drama over to the wild rule of supernatural forces. Natural forces might have worked out with even more of dramatic effect all that is wrought in *The Tempest* by mingled natural and supernatural causes; but the drama would then have lacked that charm of mingled poetry and philosophy which makes it one of Shakespeare's most delightful creations.

The supernatural forces bring about the apparent shipwreck, preserve and disperse the fleet, save the royal barque, group and lead the shipwrecked parties as Prospero wills, bring Ferdinand to Miranda, plague Caliban and his new-found friends, prepare and remove a royal

feast, and guard the king and his old counsellor from harm. While the actual supernatural is here at work, and results impossible to natural forces are accomplished, all the essential moral results are worked out through natural, physical and moral causes. These moral results, prevention of crime, remorse, penitence, restoration of the rightful duke, betrothal of Ferdinand and Miranda, the righting of old wrong and the enthroning of new right, are not really due so much as they seem to be due to the supernatural. They are worked out not so much by as under and surrounded by magical agencies and conditions. The most that can be said is that the magical has provided opportunity and the conditions for the working together of moral causes to the *dénouement*.

Thus, in a highly wrought poem, whose poetry is neither so fantastical, so light, nor so wild and grotesque, in conception or in form, as that of *A Midsummer Night's Dream*, but whose verse is statelier, whose conceptions are grander and whose philosophy is profounder, the dramatist has used the supernatural as he has used it in *A Midsummer Night's Dream*, but not to the same extent, nor with such dependence of the dramatic *dénouement* upon the supernatural. He has given larger place to the real, used more of natural agencies, allowed human will, motive and emotions larger play, and used to a larger degree the dramatic as distinguished from the poetic.

We may analyze and separate the beauty and unity of a great work of architecture from its minor beauties of capital, frieze and architrave, although these cohere and form one lovely whole. The poetry of *The Tempest* in the speeches of Prospero and of Caliban and in the atmosphere of poetry which envelops the whole, taking color from, but separable from the beauty of its parts, may be similarly dealt with, and it will be found unique in either view, and upon the very loftiest plane of mingled poetry and philosophy. *A Midsummer Night's Dream* and *The Tempest* are the sole embodiments of Shakespeare's poetical employment of the supernatural. In these two alone he has used actual supernatural forces as dramatic agencies. While they differ in some respects in method, and in the extent to which the supernatural is employed, they agree in this, that each lies upon a lofty plane of poetry, far above the ordinary dramatic plane of life, motive and action, and each employs actual supernatural agencies to effect results impossible to natural agencies. In both respects they differ from *Hamlet* and *Macbeth*, in which the poetic is subordinate to the dramatic purpose, and no supernatural agency is employed to work out dramatic results.

III.—HAMLET AND MACBETH.

Between the use of supernatural forces as dramatic agencies in *A Midsummer Night's Dream* and *The Tempest*, and the use of man's belief in such forces in *Hamlet* and *Macbeth*, there is a well-defined distinction. A distinction must also be drawn between the part played

by superstitious belief as a dramatic agency and the part of such belief as a mere poetic element.

The drama is a little art-world with its own laws, which may or may not coincide with the laws of real life. An element introduced may be absolutely true for the drama and yet absolutely false in fact. If one believe that an ass in a dusky wood is a lion, then, so far as his actions are concerned, to him it is a veritable lion, although, ultimately, and in the important matter of his not being eaten, it will turn out to be an ass. The witches in the play are witches to Macbeth, and his acts accord with this belief; but, in the *dénouement*, they are mere double-speaking hags. In the end, the false in the drama is squared by the true in real life, as the ass, that for all practical purposes was a lion, becomes an ass when it is squared by the actual verities. In *Hamlet*, belief in ghosts and ghostly communications, and in *Macbeth* witches and witch counsel, supply dramatic verities, which are just as true for these dramas and for their actors as if they were true in fact. They work out actual dramatic results and transmute potencies into activities. Up to the point where they come to be squared by that truth which is common to the drama and to real life, they are as potent as actual verities. The use of superstitious beliefs, however, has an effect beyond the production of activities wrought by belief of a falsehood. The spectator so strongly sympathizes with the actor that he too for the moment takes belief for reality and sees with the eyes of the actor. Although not dead, common sense is lulled asleep by sympathy, so that dramatic verities, in themselves falsehoods, become realities. Thus a profound and mysterious charm invests the drama like a subtle atmosphere. The spectator lives for the time under the spell of mystery and poetry. He knows, but he will not believe, that the weird suggestions, which are due merely to superstitious beliefs, are all unreal. The dramatist thus secures weird and potent dramatic agencies, dramatic action, and that poetic charm which so powerfully impresses the spectator in *Hamlet* and *Macbeth*. Hence, although they are inseparable in fact and in dramatic representation, there is a clearly-defined distinction between the part played by superstitious belief as a dramatic agency productive of action, and its part as a poetic agency, investing the drama with a charm of mysterious supernaturalism, which does not exist or operate in fact, but merely seems to be and to do. This poetic influence is so strong that the spectator is surprised when analysis removes from *Hamlet* and *Macbeth* every vestige of such supernatural forces as we do find working out results in *The Tempest* and *A Midsummer Night's Dream*. And yet there is nothing mysterious in this. The novel-reader, who has turned back and learned the fate of the characters in a thrilling romance, is none the less moved by sympathy to a qualified belief in the reality of imaginary dangers.

There is, perhaps, a yet profounder reason for the poetic effect upon the spectator of a mere belief in the supernatural used as a dramatic agency in *Hamlet* and *Macbeth*. Both lie, from beginning to end, under the dominion of a genuine supernatural, which is the law of both. That universal moral government, whose inexorable law is retribution for crime, underlies and is consciously recognized in both. All secondary supernatural beliefs are closely allied with, if they do not grow out of, this primary supernatural; and the existence of the one disposes the spectator to belief in the other.

The dramatist has thoroughly attested the ghostly visitor in *Hamlet*. His care in proof seems to be purposely contrasted with his after-treatment. At first strongly outlined, the ghost is next subjected to Hamlet's doubts as to its character; then it assumes a vague existence as a thing remembered in the discussions of Hamlet and Horatio, but seen no more; then it seems to appear to Hamlet, while it is invisible to his mother, although it had been seen by three persons in former scenes; and then it is neither seen, heard of, nor spoken of again.

First the watch speak of the ghost and of Horatio's incredulity. The ghost then appears to three persons in a scene full of the poetry of the ghostly, under "a nipping and an eager" midnight air, at the hour when "church-yards yawn and graves give up their dead." The scene lingers into the freshness of "morn in russet mantle clad"—the hour when day yet struggles with night, and the newly-awakened spirit is most profoundly sensible to the mysterious and the uncanny—and closes with a significant hint that the ghost's business may be with Hamlet. After the spectator has been fully advised of Hamlet's moody disposition, weight of woe for his father's death and his mother's incestuous marriage, dislike for his uncle and a horrible suspicion, not yet avowed, although sharply manifested later, the ghost appears to him, to Horatio and to another. Generally ghosts appear only to one person; but the dramatist is thoroughly warranted in this remarkable proof by numerous instances of ghosts appearing to more than one. Whatever value human testimony may have in such matters, one of the curious phenomena of ghostly visitations is the evidence of calm and, in real life and as to practical affairs, credible witnesses as to ghosts that have appeared to one and sometimes to many. The dramatist simply uses as a dramatic agency that which is supported by the history of superstition. When he has done this and secured at once the desired dramatic agency and the sympathetic belief of the spectator, by establishing the belief of Hamlet, and inextricably mingled a superstitious belief, suited to his mental and moral character, with Hamlet's deep personal concern, he pursues quite another course. Hence on he allows Hamlet's character and superstition to work out their proper results; but he begins at once to reduce

the ghostly element. The ghost imparts to Hamlet the fact of murder and something of the manner, prudently telling nothing about the other world. Nothing is told that is not known or suspected. Allowing due weight to the fact that the watch say nothing of the king's death and only connect the ghost with the war that is brewing, Denmark was clearly filled with suspicion. Else why was a forged process of the king's death necessary? Murderers do expose themselves, but only in collateral circumstance. As to the victim and his death the rule is silence. To soldiers upon the watch, dwelling with eager hope upon the new fact of coming hostilities, only war is suggested by the ghostly appearance. To Hamlet it speaks, alone and apart, and to him it speaks only that which forces itself out of his bursting brain. It tells him nothing that was not already within his mind. As is always the case with the supernatural, it speaks to every man in his mood and according to his character. His exclamation:

"Oh my prophetic soul! mine uncle!"

tells what was in his thoughts, as they are unfolded vaguely in the scene before the ghostly visit:

"My father's spirit in arms! all is not well;
I doubt some foul play; . . .
. . . Foul deeds will rise,
Though all the earth o'erwhelm them, to men's eyes."

While it was not compatible with the artist's purpose to speak of the suspicions of Denmark, or to unfold fully the state of Hamlet's mind before the appearance of the ghost, study and analysis show that the ghost tells nothing that is of the slightest importance and nothing that Hamlet did not already suspect. If superstition strengthens his belief, so that his actions flow from a reinforced conviction, that has often occurred in real life.

Having verified the ghost, established Hamlet's belief, introduced a mysterious poetic element, pervading the entire drama, and secured a mysterious dramatic agency, operating upon Hamlet's mind and producing dramatic action, the artist adopts at once the opposite course. Instead of acting, Hamlet begins to doubt. Dramatic action, paradoxically, becomes dramatic hesitation. Doubt of the ghost's character is akin to doubt of its reality. Ghosts must be above suspicion. To him at least his father's ghost could not be a foul spirit. Belief is still strong enough to incite him to the play device; but this very device to approve the ghostly counsel suggests a doubt of the ghost.

". . . I'll have grounds
More relative than this; the play's the thing,
Wherein I'll catch the conscience of the king."

It was not hard to catch the conscience of the king. Almost at

the opening of the play device his guilty conscience asks, Is there no offence in it? It is known that the king was found dead where he had lain asleep in his orchard, and that his brother promptly usurped the throne and married the queen. The manner of the death alone is lacking, and that need only be like. The rest of the play device lies ready to Hamlet's hand in the facts that are known. He may use poison, suffocation, or the dagger, and touch the conscience of a royal murderer who starts at the vaguest suggestion of something like. The dramatist, through Hamlet's superstitious belief, has merely exaggerated the unusual pouring of poison into the ear, to an importance in representation which it has not in fact, in order to strengthen the dramatic effect of the single ghostly impartment of something not already known or suspected. The rest of the play is entirely devoted to the working out of the elements introduced, both through and in spite of Hamlet's wavering action and inaction, and all under the moral government of the universe and its law of retribution. The well-attested ghost appears only in the first and third scenes of the first act. The ghostly suggestion in the chamber scene touches Hamlet only. To his mother it is invisible. It appears at all times according to the manner of the ghostly in all ages, to every man in his own mood and humor, suggesting or telling to each only that which is in his own mind. It suits not only every man's moral and mental complexion; it is physically suited to time, place and circumstance. Clad in complete steel when it appears to the watch on their beat and to Hamlet in the same place, to Hamlet in his mother's chamber it is suitably clothed in a night-gown: "My father in his habit as he lived." The stage direction of the quarto is, "Enter ghost in his night-gown." All this is apparently trivial, and yet it discloses the minute judgment of the dramatist and his profound knowledge of the workings of the human mind under all the varying phases of human life. None knew so well what man will do when he is face to face with the ordinary realities of life; and none knew so well what to expect of man brought into contact with the mysterious and the supposed supernatural. From the chamber scene on, the ghost not only never appears again; it is not even mentioned, not even in the secret confidences between Hamlet and Horatio, his confidant in all that relates to his father's murder, his own plans and the ghostly counsel. This is remarkable. The dramatist has carefully used the supernatural as a dramatic and poetic agency, and as carefully eliminated that which has secured its hold, impressed the action to the end, cast a poetic mystery over the entire poem, and played out its part. All of the action that is due to Hamlet's belief in the supernatural is, the steps taken to prove the murder, the feeble efforts at vengeance, and the consequences of these. Enough of Hamlet's moral and mental character and emotional condition is disclosed in the

second scene to account for his entire course in the drama. The ghostly belief is only a new element working upon a mind peculiarly fitted to receive such impressions. Even this only makes him more restless, without greatly moving him to action. Sensible to such impressions, he does not yield to the extent of such action as it obviously suggests. To it we must attribute a strengthening of a preconceived suspicion, a feeble notion of a duty laid upon him, the efforts to secure a common-sense verification of suspicion, his feeble and impulsive efforts to wreak vengeance, the killing of Polonius and the consequences of these reaching down to the *dénouement*. His superstition is common to him and others. Its effect upon him is to exaggerate his disturbed emotional condition, to quicken belief in his suspicions and to increase his desire to act, without greatly increasing his power of performance. All of the action that is or seems to be due to ghostly suggestion is really due to Hamlet's emotional nature and condition, and to his mental and moral disposition and character, of which his superstition is an inseparable part. The influence of superstition upon Hamlet, and therefore upon the course of the drama, is precisely what has been again and again observed in real life. The evidence is overwhelming that the dramatist has used in *Hamlet*, as in *Macbeth*, solely man's belief in the supernatural, introducing a ghost in visible form, simply because of the necessities of dramatic device and representation.

In *Macbeth* three hags appear upon a barren heath, in a scene—so far as mere words go—as barren as the heath, and yet full of a weird poetry, with a mysterious suggestion of a coming meeting with Macbeth. Again they appear, with grotesque but poetic spell and charm, in verse, “thick and slab,” earthy and gross, and yet poetical. Unto them comes Macbeth, whom the dramatist presents as brave, prompt and decided in war, but whom he endows with absolutely no moral quality. They hail him as Glamis that is, Cawdor that is to be, and king that shall be. He knows that he is thane of Glamis; we know, although he does not, that he is already thane of Cawdor; that he will be king is prediction, but not prophecy. Prophecy is absolute and certain; mere foretelling is based, with more or less of accuracy, upon reasoning from known data. Prophecy tells that which it knows; in all other foretelling there is always at least a thin line of the uncertain, dividing prediction from prophetic forecast. The witches know Macbeth's character and surroundings. They can predict within a hair's-breadth of certainty that he will act upon their suggestion and try to make himself king, with all chances in his favor; but they do not prophesy. The witches predict that Banquo shall beget kings, and later they show his line, wearing insignia of triple royalty. If all this were fulfilled within the drama it would be hard to escape the conclusion that it is prophecy; but, within the dramatic world, with which

alone the spectator is concerned, it is mere words, whose sole dramatic effect is to arouse Macbeth to jealousy of Banquo, with the consequences of this. All that the witches do or say before the murder of Duncan has now been presented. Acting under this and recognizing, even while he is enslaved by superstition, his freedom of will, his moral accountability and the overhanging law of retribution for crime, Macbeth proceeds to make himself king. After the murder the witches tell Macbeth that he should be bloody, bold and resolute; that he need not fear until Birnam wood shall come to Dunsinane; nor then unless he shall be opposed by one not of woman born. His character is an assurance that he will be bold and resolute, and he has already announced his bloody purposes to his wife. The rest is mere juggling. That is all. And yet in that little we have the profoundest use ever made of the belief of man in the supernatural, the subtlest poetic charm that ever pervaded any work of art, a profound philosophy, and a deep and clear insight into human character, motive and consequent action.

Within Macbeth's superstition and Lady Macbeth's use of it lie the germs of the action in the drama. It may be fairly said that almost the entire action flows out of his superstition; for she would have been powerless to overcome—not any moral scruples, for there are absolutely none in him, but his intense love of fair-seeming, fear of public opinion and desire to stand well without hazarding reputation and honors, “which would be worn now in their newest gloss, not cast aside so soon.” Careful analysis discloses in this play two apparently contradictory contrasts. The practical mind and the fierce, determined and direct character of Lady Macbeth is never for a moment given to a thought of belief in the supernatural. She uses, abuses the superstitions of her husband; but she exhibits none, although she is far too shrewd to deny his beliefs, except when they are leading them near the danger line. Banquo believes even to the point of saying, “To you they have showed some truth;” but his sound moral nature neither begs nor fears their favors nor their hate, and he never contemplates crime as a personal possibility. Banquo's belief heightens the effect of Macbeth's superstition; the negative exposition of Lady Macbeth's unbelief stands as a bed-rock of reality in a drama poetically overcast by a mysterious supernaturalism. Without disturbing the poetic effects, her attitude furnishes a measure of terrible common-sense. She stands as the single one of those who are cognizant of all this witchery, who knows its value and uses it, precisely as the dramatist does, for all it is worth. The temptation of Macbeth is strikingly like that of the first man in the garden of Eden. In each there is suggested to a soul that has not in either case exhibited moral quality, and which in both cases enfolds the germs and potentialities of evil, a something further that is desirable. In both cases the will is left to

its free choice, without a suspicion of supernatural coercion, although in both cases the presence of a real or apparent supernatural power suggests the mysterious and envelops the transactions with a poetic element. In both cases sin leads to a retributive justice. All of the action in *Macbeth*, except the rewards for valor conferred by Duncan, the creation of the Duke of Cumberland, and the king's visit to Macbeth's castle, is due directly or indirectly to Macbeth's belief in the witches. The action of Hamlet that is due solely and separably to the ghostly influence is comparatively much less.

Hamlet and *Macbeth* agree in this: that there is a strong poetic suggestion of the supernatural, so powerful that an actual supernatural force seems to pervade both. In both an artful use of only man's belief in the supernatural invests the work with a subtle poetic charm—that charm which makes the mysterious supernatural such a painful delight to all imaginative minds. Both exhibit a marked contrast with the uses made of the actual supernatural as dramatic agencies in *A Midsummer Night's Dream* and *The Tempest*. Both are pervaded by the highest poetry of life and of nature, as well as by the mysterious supernatural poetic element. Both deal with, or rest upon, a profound philosophy, which suggests the greatest questions that touch man and human life—man as a social being with varied human relations, and man as a creature having close relations with laws higher than human laws, with a world transcending this world, and with a wise and beneficent rule higher than the human, above all secondary supernatural forces and supreme in power and wisdom. In both we are shown man, apparently dealing with supernatural forces, firmly believing in their existence and his relations with them, and acting upon their suggestions, and yet all working out in accordance with natural laws—including the superstitions of man as natural forces—but working out under the absolute dominion of a power all-wise and supreme, and in accordance with its law of retribution for crime. In both the man is a free agent, his judgment untrammelled, his responsibility recognized and his actions such as he may conceive and determine, except in so far as they may be modified by equal or controlled by superior natural forces, or by the universal law.

This genuine Calvinistic view of life, as distinguished from a blind fatalism on the one hand, and a licentious free-will upon the other, is the common law of the Shakespearian drama; but it is more clearly apparent in *Hamlet* and *Macbeth* than in any of the rest. It is freedom within limits, and a coextensive moral responsibility. It is freedom of action under Hamlet's—

“There's a special providence in the fall of a sparrow,”
or in his—

“There's a divinity that shapes our ends,
Rough-hew them how we will.”

in which speaks, with cheerful acknowledgment, a man who is conscious of only righteous aims; and Macbeth's—

“But in these cases we still have judgment here,
That we but teach bloody instructions, which being taught,
Return to plague the inventor,”

in which speaks, in grudging acknowledgment, a man whose every aim is evil, and for that which crime alone can procure. Between free-will and fixed fate, 'twixt which “life hovers like a star,” both dramas wonderfully move and have their being. In accordance with the rule of the law of retribution and the manifestation of the moral power, and the rule of its law-giver, it is clear that it matters not whether Hamlet drive straight on to vengeance, or yield, as he does, to a mental hesitancy and a halting disposition, all must work out, as it does, in retributive justice. It matters not whether the otherwise—both as a soldier before the murder and as a king after the murder—prompt and decided Macbeth halt on his way to murder, as he does with a moral as Hamlet with a mental and emotional hesitancy, or whether he drive straight on to his purpose: whether he halt and stumble after the murder, as he did before; or whether he shall, as he does, drive straight toward new and bloodier ends, as prompt and decided as when he routed Norway, vanquished Sweno, and scattered the skipping kerns and gallowglasses of domestic rebellion, the same end must be reached under the rule of a higher and an overruling power.

In and for these two dramatic worlds, the law is the universal law of retributive justice. There is for them both a divinity that shapes our ends, such special providence as there is in the fall of a sparrow, and the end must be retributive justice, despite all listening, by the way, to supernatural agencies, despite all leaning with too credulous ear to ghost or witch counsel, and despite all human effort. In *Hamlet* and *Macbeth*, profoundly philosophical and deeply poetical, but thoroughly practical dramas of human life, we have a rigid use of only man's belief in the supernatural; in *A Midsummer Night's Dream* and in *The Tempest*, pitched upon a lofty plane of pure poetry, as far above the ordinary dramatic plane as that is above the plane of real life, we have the actual supernatural working out results impossible to natural forces; and, in these two groups of two dramas each, lies all there is of the supernatural in the Shakespearian drama.

H. M. DOAK.

THE HOUSE KNOWN AS SHAKESPEARE'S BIRTHPLACE.

THE recent purchase by trustees created by act of Parliament for the preservation of Shakespeare relics of the Anne Hathaway cottage recalls the matters and things which had led previously to the purchase of the house in Henley Street, known, and very properly so, as the house in which William Shakespeare was born.

We say, "very properly so known," since, although there is the preliminary doubt—growing from the long state of truly British neglect in which all Stratford-on-Avon matters connected with the actual life of Shakespeare remained—the records in this case point to genuineness.



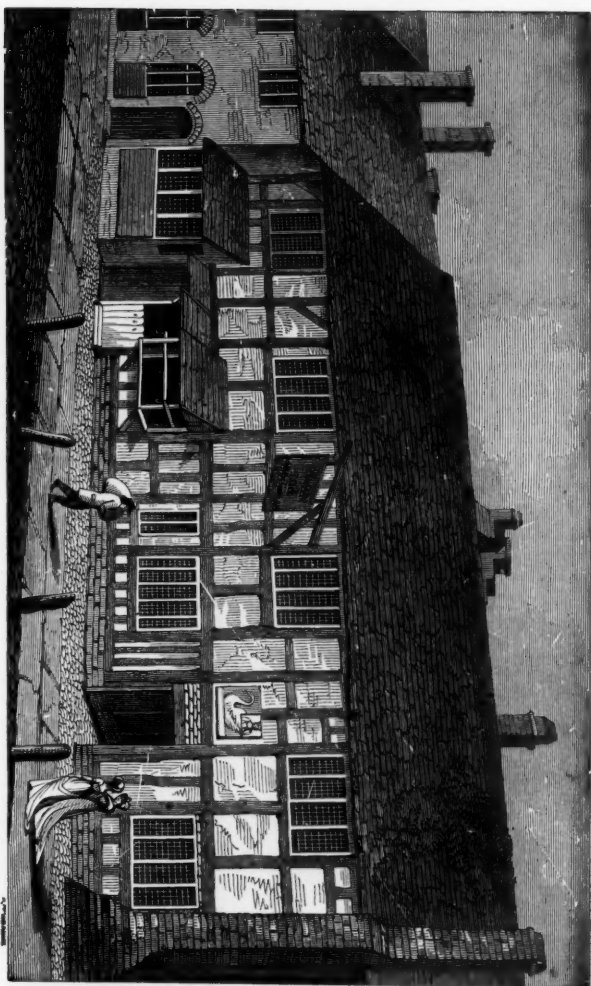
THE BIRTHPLACE IN HENLEY STREET AS IT APPEARED IN 1762.

When Dr. Johnson said that the death of David Garrick "eclipsed the gayety of nations," he was only indulging in one of his sonorous hyperboles. Garrick was not known out of England, nor outside of that not very grand division which constituted its theatre-goers in the eighteenth century. What reputation Garrick may be said to have had, or to have to-day, among "nations" comes from the fact that, from whatever motive, he did first call attention to the Stratford vestiges of Shakespeare, and so first suggest their preservation.

In the year 1769 Garrick, who had found the stage still resonant of Shakespeare, and *Hamlet* and *Richard III.* its standards then as now, conceived the idea of going down to William Shakespeare's birth-town,

and there holding a series of pageants to constitute a jubilee in the great dramatist's honor. Dr. Halliwell-Phillipps is right in speaking very contemptuously of this jubilee, and is warranted, we think, in intimating that the jubilee was proposed more as an advertisement to the living David Garrick than to a glorification of the dead William Shakespeare. Indeed a résumé of the programme seems to suggest as much. "The opening of the celebration," says Dr. Halliwell-Phillipps, "having been announced in early morning by a cannonade, the lady visitors were serenaded in rotation by young men attired in fancy costume, and when everybody had thus been thoroughly aroused Garrick was presented by the corporation with a medal and a wand, both made from relics of the famous mulberry tree, bells and cannon announcing the actor's acceptance of the gifts. Then there were public feasts, more serenading, an oratorio at the church, elaborate processions, masquerade balls, illuminations, fireworks, horse-races and an unlimited supply of drummers. In the midst of this tomfoolery the presiding genius of the show recited an ode in praise of the great dramatist." But even this was more than had been done before.

This jubilee was in 1769. At that date there stood in Henley Street the tenement of which our frontispiece (from a picture made in 1708) is an accurate semblance. It had been mentioned in one Winter's plan of Stratford as "the house where Shakespeare was born." We know now, principally from Dr. Halliwell-Phillipps' exhaustive investigations, that this house and one other were purchased by John Shakespeare, the dramatist's father, in 1556. The fact of this purchase being established, the selection of this particular house as the actual birthplace of William Shakespeare seems to have been acquiesced in upon Garrick's arrival in Stratford with his jubilee. And the house he saw is the one represented in the frontispiece of the present number of SHAKESPEARIANA. That Garrick's disinterestedness did not extend further than the glorification of the memory of the dramatist is apparent from the fact that he left the old house as it stood: remaining in private hands; so that, as appears by our view of the premises in 1806, it was on that date an inn. And it remained in private hands until the proposition of the late Mr. Barnum in 1849 to purchase the building and transport it intact to the United States roused up the British pride in their greatest poet, and proceedings were taken by which the premises passed by auction into the hands of a committee of gentlemen, who in their turn in 1866 surrendered the legal estate, under a public trust, into the hands of the corporation of Stratford.



THE BIRTHPLACE IN HENLEY STREET, AS IT APPEARED IN 1806.

MISTRESS QUICKLY OF WINDSOR.

THAT the fact of Mistress Quickly, housekeeper to Dr. Caius of Windsor, having the same name as the hostess of the Boar's Head tavern at Eastcheap should induce most readers of Shakespeare to identify the two women as one and the same person is not surprising. That scholars and commentators of Shakespeare should fall into the same error is as incomprehensible as it is that most of them admit being entirely at sea concerning the period in Falstaff's career at which his adventures at Windsor are supposed to have taken place, although the author seems to have taken especial pains to fix the time beyond all peradventure.

In the very first scene of the *Merry Wives*, Justice Shallow informs us that he had come over from Gloucester to make complaint before the Council against Sir John Falstaff for having beaten his men, killed his deer and broken open his lodge. Now as we learn from 2 *Hen. IV.*, iii. 2, that Sir John Falstaff's requisition upon Shallow for recruits when on his way to join the army in Yorkshire was the occasion of their first meeting since the former was a boy and page to Thomas Mowbray, Duke of Norfolk, and the latter a law student at Clement's Inn; and as Falstaff stopped at Gloucestershire on his way home when the campaign was over, to pay Shallow a visit, and on the very evening of the day of his arrival, the news brought by Pistol of the king's death caused both of them to set off post-haste to London to offer their allegiance and congratulations to his successor, there was no time during the life of King Henry IV. when the quarrel between them could possibly have arisen, and therefore the events recorded in the *Merry Wives of Windsor* must have occurred during the reign of King Henry V. That monarch came to the throne in March, 1413, and as he did not start on his expedition to France until some time in 1415 and Falstaff died just before the army embarked, we have a period of about two years during which his adventures at Windsor could have taken place. In the last scene of 2 *Henry IV.* (3255 F.) the new king says to Falstaff,

"When thou dost hear I am as I have been,
Approach me, and thou shalt be as thou wast,
The tutor and the feeder of my riots:
Till then I banish thee, on pain of death,
As I have done the rest of my misleaders,
Not to come near our person by ten mile.
For competence of life I will allow you,
That lack of means enforce you not to evil;

And as we hear you do reform yourselves, we will, according to your strength and qualities, give you advancement;"

and then says to the lord chief justice,

"Be it your charge, my lord,
To see performed the tenour of our word."

The chief justice begins to perform the duty thus imposed upon him by directing his attendants to "carry Sir John Falstaff to the Fleet," and to "take all his company with him;" but as there were no accusations of a criminal character then pending against any of them, we may presume that this arrest was merely a precautionary measure to keep them out of the king's way during the coronation festivities, then in progress, and until definite arrangements could be made for Sir John's future residence. It will be remembered that Falstaff had just borrowed from Shallow a thousand pounds, which the latter was very anxious to get back before his debtor could have an opportunity to spend them. How they and the chief justice finally arranged matters we are not informed, but from the facts that Shallow, in reciting afterward the wrongs done him by Falstaff, makes no reference whatever to the money he had borrowed, and that the latter admits himself to have been the aggressor in their quarrel, the natural inference would be that Falstaff had been somehow induced to return the money, and that Shallow thereupon took him back to Gloucestershire, where, after remaining for a while, he picked a quarrel with his former entertainer, and then came over to Windsor and put up at the Garter Inn. His reason for going to Windsor was manifestly to be near the court, and thus able to take advantage of any opportunity that might offer to ingratiate himself once more, if possible, with the king. Although he could not venture to thrust himself again into the royal presence without permission, yet he doubtless hoped that chance might some time bring him face to face with his comrade of former days and afford another opportunity of exercising over him once more the spell of his irresistible humor.

As time rolled on, however, and the wished-for opportunity did not come, he found himself getting very short of funds to meet his current expenses, and so resolved to turn away some of his followers and reduce his establishment to himself "and skirted page." The readiness of mine host of the Garter to take Bardolph into his employ as a tapster, and the voluntary proffer by Sir Hugh and Master Page of their services to affect an amicable settlement of his controversy with Justice Shallow, indicate the prevalence at Windsor of a general anticipation that Sir John might once more be restored to the royal favor. We can well understand that Falstaff, who had upon a former occasion (1 *Henry IV.*, iii. 2, 2179 F.) recorded his dislike to "paying back," must have refunded Justice Shallow's thousand pounds with great reluctance, but as the latter and the chief justice had him at a

great disadvantage while in the Fleet, there was evidently nothing else for him to do under the circumstances. Doubtless Justice Shallow was very profuse in his protestations of friendship and very lavish in his invitations to Gloucester before the money was paid, but after he once got it, he probably soon gave Sir John to understand that a favorite in disgrace could not remain with him very long as a welcome guest. While Falstaff may have beaten Shallow's men, killed his deer and broken open his lodge simply to avenge some slight put upon him by that worthy while in Gloucestershire, I am strongly inclined to the opinion that he did it with the deliberate purpose of inducing the latter to make complaint to the king, in the hope that he might by this means be brought once more into the royal presence, and thus as the defendant in a prosecution brought by Shallow he would have a fine opportunity to exercise at the latter's expense that wit and humor which had in former days always proved irresistible to Prince Hal—for he had already promised himself (in *2 Hen. IV.*, v., 1, 2854 F.): "I will devise matter enough out of this Shallow to keep Prince Harry in continued laughter, the wearing out of six fashions, which is four terms, or two actions, and a' shall laugh without intervallums."

So much for the status of those of the principal *dramatis personae* who were already known to us when the curtain rises for the opening scene in the *Merry Wives of Windsor*. The first mention made of Mistress Quickly in the play is by Parson Hugh, who in the second scene of the first act sends Simple to her with a letter invoking her influence with Anne Page to favor his master's suit for her hand. He describes her as the housekeeper of Dr. Caius and as the most intimate friend of Mistress Anne Page, the daughter of a wealthy and highly respectable citizen of Windsor. This intimacy of Mistress Quickly with Anne Page and the great influence which it is supposed to have given the one over the other are constantly referred to throughout the play by various persons, but nowhere is there a hint of any disapproval of it on the part of the young lady's parents. On the contrary, her mother, in act ii., scene 1, not only recognizes but directly encourages the intimacy. Now all this is utterly inconsistent with the idea of such a person as Hostess Quickly is described in 1 and 2 *Henry IV.* and *Henry V.* When introduced to us in 1 *Henry IV.*, she is spoken of as the wife of mine host of the Boar's Head Tavern, who, although he is not brought upon the stage, is referred to several times by Prince Hal, Falstaff and the dame herself as a living person then upon the premises. In 2 *Henry IV.* she has become a widow, but continues to run the establishment on her own account. She appears to have been complained against for keeping a disorderly house before the deputy, Master Tisick, who in act ii., scene 4, reminds her that she is "in an ill name," and cautions her to "receive no swaggering companions." (1112 F.) Apparently much impressed with this injunction at the time, she soon disregarded it, for she afterwards not only received but

actually married that prince of swaggerers, Ancient Pistol, although she had to break her troth plight with Corporal Nym in order to do so. From the scenes in which her friend Mistress Dorothy Tearsheet figures so prominently and from the reasons she gives in *Henry V.*, ii., 1, 535 F., for acquiescing in Pistol's declaration: "Nor shall my Nell keep lodgers," we may fairly infer that "swaggering companions" were not the only guests who gave the Boar's Head Tavern an ill name; but she continued to keep it, nevertheless, at least down to the time of Falstaff's death, though Pistol scorned the name of host. As she tells us in *2 Henry IV.*, ii., 4, 1402 F., that she had known Falstaff "these twenty-nine years come peascod time," she could not well have been under fifty years of age, and was probably older, as the page speaks of her in *2 Henry IV.*, ii., 2, 924 F., as "Old Mistress Quickly." She had evidently found the Boar's Head Tavern profitable, for notwithstanding that Falstaff and Bardolph had for years been running up large bills there which were never paid, and that Falstaff had induced her by promises of marriage to furnish him with considerable sums of money, she must still have had some property left, or otherwise Pistol and Nym would not have both been suitors for her hand. She was, in short, a good-natured, disreputable old fool, with no more sense of the ordinary decencies of life than her friend Mistress Dorothy Tearsheet, and far less than is displayed by even Ancient Pistol. We cannot conceive that a fashionable court physician like Doctor Caius would have tolerated such a person as her about his house, or that well-to-do, respectable people like Master Page and his wife could have permitted their young daughter to have associated with her.

Mistress Quickly of Windsor offers a direct contrast to her in almost every particular. Although her morals may not, in fact, have been better than those of the hostess of Eastcheap, she had a much keener perception of and far more respect for the social proprieties, as witness how she professes to be scandalized at Sir Hugh for making young William Page repeat the genitive plural of *hic, hæc, hoc* (*Mer. W.*, iv., 1, 1860 F.) and her extreme complacency at the reflection that while Falstaff's page is carrying letters between him and Mistress Page "the boy need never to understand anything, for 'tis not good that children should know any wickedness." (*Mer. W.*, ii., 2, 886 F.) As stated above, the hostess of the historical plays is represented as a good-natured old fool, but the housekeeper of Dr. Caius is anything but a fool. She is an exceedingly sharp, clever, plausible woman, who attempts to make use of every person with whom she comes into contact to further her own interests, and who generally succeeds in her object, as for example in act i., scene 4, and act iii., scene 4. She fools them all to the top of their bent. Besides, she uses much better language than the hostess. The latter about half the time says "a" for "he" as when describing Falstaff's death in *Henry V.*, ii., 3, 832, F. "A'

made a finer end and went away and it had been any Christome Child." Mistress Quickly of Windsor never does this. Her occasional slips in language are invariably the result of well-meant attempts to adopt an elegant style of conversation by the use of words which she gets wrong as "infection" for "affection" (875 F.), and "speciously" for "especially" (1661 F.). Mistress Quickly moreover requires an entirely different make-up upon the stage from the hostess, for she is either a young woman or at least not too old to pass for one. As evidence of this we may note that when Falstaff addresses her as "good wife" in act ii., scene 2, 800 F., she promptly corrects him, "Not so, an't please your worship;" and also that she is selected to act the part of the queen of the fairies in act v., scene 5. Although most modern editions of Shakespeare make Anne Page take this part, there is no doubt that the author intended it for Mrs. Quickly, and that she did take it at the Globe Theatre. The stage directions in the Quarto of 1602 are as follows, 1453 Q: "*Enter sir Hugh like a Satyr, and boyes drest like Fayries, mistresse Quickly, like the Queene of the Fayries,*" etc. There is not a single word in the Quarto to indicate that Anne Page took the part of the queen of the fairies. In the Folio the only stage direction is "*Enter Fairies*" (2492 F.), but all the lines appropriate to the queen are given to Quickly, and not a single word is spoken by Anne Page in the scene. The only grounds for assigning the part to her are Mistress Page's remark in act iv., scene 4, 2178 F.: "My Nan shall be the Queen all the Fairies, finely attired in a robe of white," and Fenton's saying in act iv., scene 6, 2342 F.,

"To-night at Herne Ohe iust 'twixt twelve and one
Must my sweet Nan present the Fairie Queen."

Now it is very evident that although Mistress Page had announced and wished her husband to suppose that Anne would play the part of the queen of the fairies dressed in white, while intending that she should in fact be dressed in green, yet if she had actually played the part in either costume it would have materially spoilt the action of the play. Had she played it *dressed in white* her mother, knowing it, would not have told Dr. Caius to elope with the fairy *dressed in green*, and had she played it *dressed in green* her father, knowing his daughter was to play that part, and recognizing her in it, would not have allowed Master Slender to carry off the fairy dressed in white. This affords another instance of the fact that when William Shakespeare was writing plays he understood his business much better than do the critics who seek to correct or improve upon him. Richard Grant White and the Cambridge editors, recognizing this, have been wise enough to follow him in leaving the part of the fairy queen with Mistress Quickly. The absurdity of giving such lines as those beginning "*Faries black, gray, green, and white,*" etc. (2493 F.), to such a personage as Old Hostess Quickly is represented to be in the historical plays, would of course be

patent to every one. But what conclusively establishes that Mistress Quickly of Windsor and her namesake of Eastcheap are intended for entirely different personages is the fact that neither Falstaff, Bardolph, Pistol, nor the page, all of whom are present, recognize her as an acquaintance when she visits the former at the Garter Inn in act ii., scene 2. Had she been the hostess of the Boar's Head Tavern, Robin the page, who had often attended his master there and who was as sharp as a steel trap, would not have announced her to him in line 797 F., "Sir, here's a woman would speak with you," but would have called her by her name, and the conversation which ensued between her and Falstaff could not possibly have taken place between two persons who had known each other for twenty-nine years. During all these years and longer Falstaff had maintained Bardolph as his constant attendant (1 *Henry IV.*, iii., 3, 2040 F.), and Ancient Pistol, whom she shortly afterwards married, had lately had a very exciting controversy with the hostess at the Boar's Head Tavern. Both these worthies are upon the stage when Mistress Quickly enters in the scene just mentioned, yet there is not the slightest token of recognition between her and them, and indeed neither of them exchange a single word with her throughout the entire play.

What Shakespeare's reason could have been (if he had any reason) for creating so much confusion in the minds of posterity by bestowing upon the housekeeper of Dr. Caius the same name as that of the hostess of the Boar's Head Tavern can be matter for pure conjecture only, and is, as Lord Dundreary would say, "one of those things that no fellow can find out." Perhaps we will be in a better position to answer the question when we are able to explain why he bestowed upon two of Falstaff's attendants in 1 *Henry IV.* the names of Bardolph and Gadshill, when there was a Lord Bardolph in the same play who had no apparent connection whatever with the former, and when Gadshill was the place where the man of that name perpetrated a highway robbery. The best explanation I can think of for giving the same name to the two Quicklys is that inasmuch as both of them were active in promoting Sir John's contemplated immoralities, the author intended to intimate that they were different *species* of the same *genus*. We may even go so far as to suppose that she of Windsor may have been a daughter of her of Eastcheap, whose father, thinking that the Boar's Head Tavern was not a proper place to bring up a young girl, had sent her to Windsor to live when she was a child. Be this, however, as it may, the indisputable fact remains that Shakespeare must have intended these two women bearing the same name to represent two entirely different persons.

W. REYNOLDS.

EDITIONS OF SHAKESPEARE—ELEMENTARY AND CLASSICAL.

A SINGLE firm of publishers has placed before us four editions of the plays, which—by apposition—challenge our attention. Classifying them as elementary, popular, critical, and “without note or comment” (that is, for citation solely), these four editions, as the output of a single editorial scrutiny, are remarkably exhaustive of every demand or resource for which the plays can be called into requisition. These four editions are known as “Macmillan’s Deighton,” “The Victoria,” “The Cambridge,” and “The Globe.”

The former, edited in handy volumes of 16mo, are for elementary schools, and twenty of them lie before us. They are bound in plain, tough cloth, as school editions should be, and mechanically are an ideal of what such books and for such usage should be. As to their method, their editor has somehow so put himself into touch with SHAKESPEARIANA’S ideas of the methods to be pursued in the elementary or preliminary teaching of Shakespeare, that to commend them is like repeating for the thousandth time what we have so strenuously and always insisted upon.

We have asserted, that is, that the study of Shakespeare, when brought first to the notice of the young, should be exemplary and explanatory; that an edition for young people should be copiously annotated—every archaic word defined, every allusion made clear with explanation, and, above all, that the actual condition of things under which the dramatist wrote should be kept before the student. We have insisted that if this were the sort of edition the young student had before him, it would not be long before he elected for himself whether he cared for Shakespeare or not. When, if he found that he did not, no harm were done if he gracefully left the field and passed to other studies; while if he found he did, he would have opened to himself a well of lifelong and exhaustless pleasure, a stream never dry of inspiration and entertainment, and a pleasure actually—if there be such a thing upon earth—a pleasure actually without alloy.

But we have always insisted that in order that the young student so decide for himself, he *absolutely* decide for himself, and from the text and the notes. To constantly stand at his elbow as a clacquer, and, as it has been happily called, a “sign-post,” to din constantly in his ear: “Warburton says this is a beautiful passage;” or, “Pope says this is nowhere surpassed for sublimity;” or, that “Furnivall says this is the unfit-nature or under burden falling group;” or, “Dowden says Shakespeare wrote this just after the funeral of little Hamlet,” or the like,

was firstly to prejudice the young student, and secondly to disgust him. We claimed that it could have only these two effects, and we may add that if it prejudice him, that prejudice will not, as a rule, be found to be in favor of the study of the dramatist's works. Older men, with tougher stomachs, might indeed take in a Furnivall, or with large good nature, smiling, put aside Pope or Warburton. But for the young student it would be better if his editor did this for him.

Now Mr. Deighton, who has achieved this edition, with less specification than the above, but directly to the same point, has put it in this way [we should premise that he is an instructor and inspector of schools in India, and was convinced of the value of the system he has inaugurated by long observation of the special class of students which came under his official observation]:

"To an Indian student nothing is so tempting as to commit to memory whole pages of criticism, the meaning of which in the majority of cases is but dimly understood by him, and which in his examination is reproduced with irrelevant facility. If, however, the student is capable of really assimilating sound criticism, his college library will afford him ample help." And so to begin with—especially since Mr. Deighton's notes have so far held rigidly to the above scheme or pledge—the present writer is justified in commending his edition to American schools. But there is another and even a stronger reason why the writer leans to them. He has never ceased in the course of his experience with matters Shakespearian to deplore the bath, the flood or the deluge (for it is really a deluge) of what is called "psychological" or "esthetic" criticism. In his experience aforesaid he has never found that it was difficult to write it, or indeed that there was any difficulty at all about it except to the person who—with a mind not entirely a vacuum—should attempt to read it. He has never found, in short, that the "esthetic criticism of Shakespeare" meant anything different from a license to write everything or anything which came into the head of a ready writer with a fluent pen, and that the frequent insertion of the name of Shakespeare, or of one of his plays or of one of his characters was only necessary, in order to make the everything or the anything into as many reams of esthetic Shakespearian criticism as the holder of the fluent pen felt like spoiling clean paper with. Perhaps it was Warburton—a weak-minded person of the best intentions and a plenitude of leisure, for which the world has paid the bill—who began this sort of exercise, and there are dozens of imitators of him still exhausting their ink-pots, to some of whom this quarterly has paid its compliments over and over again without making the slightest impression upon them or curtailing their recreations in the least.

Or perhaps Mr. Pope may have set him the example. At any rate, whoever he was, he has had and still has plenty of imitators. It is enervating reading and a weariness to the flesh to the adult; and if so

to the adult, it must be injudicious to place it before the young student, even if only for the reason assigned by Mr. Deighton, that the young student might be deceived by his ear or his indolence into committing to memory a lot of profitless rubbish. Not that it is harmful; there is no harm in a thousand acres of it. It is because it is a waste of time, and because there is so much to learn, and because life is so short, even to the beginner, that it is objectionable—not to say ruthless and cruel—to place it before a young reader or student.

And yet all this without discursiveness. Mr. Deighton has found something better than the *Excursus*, probably realizing that everything may be found in or put into Shakespeare, and that it is not always expedient to make the study of him a pantology. Mr. Deighton, therefore, has substituted for the *Excursus* the paraphrase. Whenever necessary he will give in his note to the line a familiar paraphrase of the line itself, thus making it all clear. To write a lot of historical or philological notes on every word of that line is surely not required. The result is that if the student had any doubts or difficulties as to the meaning of a line, he has it here explained to him. He is not told that A thought this a beautiful line, or that B said it was the finest in the language, or that C thought it could not be excelled, or that it reminded F of the proverbs of Solomon, or of something else; neither is he hindered by an explanation that this word is an archaic, or a middle or a corrupted form of some other word. Valuable as such information may be, it is yet to come. The idea, we contend, of teaching Shakespeare in schools is to ascertain if the pupil cares for it; if he does not, the study should be, for him, abandoned and something else substituted. If he does not take to Shakespeare of himself, under the guidance of a judicious teacher, it cannot be rammed down his throat; and if he does, all the æsthetic and sign-post commentary and criticism necessary will occur to him; and ten to one he will prefer his own sentiments and opinions to those of anybody else; or at least he will impartially admit his own on a par with the ineffably silly stuff which he will be sure—thanks to the charity of *variorum* editors—to run across.

It is because Mr. Deighton's books propose to allow the pupil to read Shakespeare understandingly and to be helpful without being a hindrance to him, to post him in all that he needs, to guide him without encumbering him with help, or insisting on his acquiring not only Shakespeare, but all that his silly commentators have said about him—it is for these reasons that we believe Mr. Deighton's books to be the best school edition of Shakespeare that has, up to date, appeared.

With "The Victoria" and "The Globe" Shakespeares we may rapidly deal, both of them being the text of "The Cambridge" Shakespeare discussed below. The first, as we have said, is to be read by those who care not to be interrupted by notes; while, as everybody

knows, "The Globe," with its careful notation by tens of lines under scene and act divisions, is as ideal a *vade mecum* as probably could be devised for the Plays.

Of "The Cambridge" Shakespeare the first thing to be said is that it is more than critical. It is crucial. Its notes are as fine and terse and brief as the language of the Heralds' College; and yet, brief and terse as they are, each is the product of the result of laborious research. Each note, that is to say, is the solution of a problem; the effect, with all the pros and cons, the hearsays, the processes, the tests, the comparisons, discarded. A history of this edition cannot be uninteresting.

This edition was projected at Cambridge in 1863, and a first edition was begun in that year. The editors of the first volume of the first edition were Mr. William George Clark and Mr. John Glover. The preface is signed W. G. C. and J. G. Then Mr. Glover dropped out, and Mr. Wright became associated with Mr. Clark, and the two completed the edition. So far had Mr. Glover's share in it been forgotten that the initials J. G., signed to the reprinted Preface, were a puzzle.

The plan was briefly stated as follows by the then editors themselves:

"The basis of all texts of Shakespeare must be the Folio of 1623. Where we have Quartos of authority, their variations from the first Folio have been generally accepted, except where they are manifest errors, and where the text of the entire passage seems to be of an inferior recension to that of the Folio. When the Folios are all obviously wrong, and the Quartos also fail us, we have introduced into the text several conjectural emendations. We admit none because we think it better rhythm or grammar or sense, unless we feel sure that the reading of the Folio is altogether impossible. In the second place, the conjecture must appear to us to be the only probable one."

And in the present edition Mr. William Aldis Wright, the surviving editor of the first edition, to which these words were prefaced, says:

"I have followed substantially the rules laid down in the Preface to the First Edition, although I have exercised my judgment in occasionally departing from them and in applying them more strictly than the original editors of the first volume found it necessary to do."

We do not see how this plan, in the hands of an editor like Mr. William Aldis Wright, can fail to command unanimous approval. In the hands of a less competent or less modest one, or of one less severe to himself—of an "editor" like Rolfe or some of our modern ones who out of charity or lack of confidence in their own judgment dare not omit anything which has by any means found its way into print—it would be dangerous. But in the present case we believe the Cambridge to be and to become—as it is better and better known—the authority

as to what has been added of value to Shakespeare, since Shakespeare's own day and date, by the erudition, industry and unflinching patience of the wisest of his commentators.

These four volumes together, for the text is the same in all of them, are conclusive and exhaustive—as it seems to us—for pupil, student, scholar, and for the casual and cursory reader.

FIELDING'S UNCONSCIOUS USE OF SHAKESPEARE.

I HAVE recently been re-reading that most interesting of all English novels, *Tom Jones*, and never until this time have I been impressed with the idea that Fielding had *Romeo and Juliet* uppermost in his mind while writing a portion of it. I refer more particularly to that part of the novel (Books VI. and VII.) wherein Jones and Sophia discover their mutual love, and the escape of Sophia in the hope of consummating the marriage with her lover. That sweet creature seems much like a shadow of Juliet; Jones is but another Romeo; Mrs. Honour is the Nurse over again; Squire Western is old Capulet, only grown somewhat profane, but just as impetuous. His sister takes the place of Lady Capulet with quite the same air. Blifil plays the same part and his proposal has the same effect as the actions of Paris: although our ideas of the character of Paris are vastly different from those of the villanous Blifil. But it is not only that a similarity exists in the characters, whose mental faculties seem to have quickened with the same thoughts, and in a few instances to have found expression in the same words: but many of the situations are mere reflections from the masterpiece of love.

The lovers themselves are extremists. Shakespeare has Romeo and Juliet both of the same social scale, but the hatred and jealousy of the parents was the barrier between them. Fielding merely reversed the order: friendship was the equal ground of his lovers, but the illegitimate Jones was of a vastly different social grade than the rich Sophia who with pride could trace her parentage.

Juliet was the "only child" of Capulet, as was Sophia of Squire Western, and in both *Romeo and Juliet* and in *Tom Jones* is found on the part of the parents, not only a desire to marry them to men of wealth and position, but a determination to force them to such a union with no consideration whatever as to the choice of the girls: and likewise in both, the prospective husbands are not subjected to any influence save their own inclinations. Capulet without consulting Juliet as to her feelings for Paris says:

"Wife, go you to her ere you go to bed ;
 Acquaint her here of my son Paris' love,
 And bid her, mark you me, on Wednesday next—
 . . . Well, Wednesday is too soon ;
 O' Thursday let it be : O' Thursday tell her,
 She shall be married to this noble earl."

This same determination is seen in Squire Western :

"He treated the doubt whether the young people might like one another with great contempt ; saying, that parents were the best judges of proper matches for their children ; that, for his part, he should insist on the most resigned obedience from his daughter."

The appeal of both Juliet and Sophia to their respective parents is very much of the same nature ; both openly rebel, and on their knees beg that they should not be forced to marry men they hate. Both Capulet and Squire Western immediately fall into a rage, and both refer to the hope they had had in their only child as a comfort and an honor to their age. And whilst from Capulet's mouth comes :

"Out, you green-sickness carrion ! out, you baggage !
 You tallow-face !"

the same thought is expressed in the three words of Squire Western :

"All maidenish tricks."

In the minds of both fathers springs what, to them, seems the means by which to force obedience : disinheritance. And strange to say, not only the same thought, but almost identical words are used in expressing it. Capulet's rage is spent in—

"Look to 't, think on 't, I do not use to jest.
 Thursday is near ; lay hand on heart, advise.
 An you be mine, I'll give you to my friend ;
 An you be not, hang, beg, starve, die in the streets,
 For, by my soul, I'll ne'er acknowledge thee,
 Nor what is mine shall never do thee good ;"

while the fury of Squire Western is shown in—

"He shan't ever have a morsel of meat of mine, or a varden to buy it : if she will ha' un, one smock shall be her portion. I'd sooner ge my estate to the zinking fund, that it may be sent to Hanover to corrupt our nation with . . . but I am resolved I will turn her out o' doors. She shall beg and starve and rot in the streets. Not one hapenny, not an hapenny shall she ever hae o' mine."

Romeo loved his Rosaline before he met Juliet, and Tom Jones his Molly Seagrim long before thoughts of Sophia had entered his head. And if the insinuations of Friar Laurence count, the intimacy that existed between Romeo and Rosaline was of the same nature as that between Jones and Molly.

Both of the heroes were insulted by members of the family of their lady-loves, and every inducement given to tempt them into a quarrel; but both *calmly* endure the outrageous war of words made upon them simply because their opponents are of the same blood as their loved ones. Tybalt, Juliet's "dear lov'd cousin," has no better term for Romeo than "villain," who in "calm, dishonourable, vile submission" protests:

" I never injured thee,
But love thee better than thou canst devise,
Till thou shalt know the reason of my love;
And so, good Capulet—which name I tender
As dearly as my own—be satisfied."

Jones, bespattered with the insults of Squire Western, "very calmly answered: 'Sir, this usage may perhaps cancel every other obligation you have conferred on me, but there is one you can never cancel, nor will I be provoked by your abuse to lift my hand against the father of Sophia.'"

Romeo became engaged in a quarrel which ended in a combat for which he was banished by the Prince. Tom Jones likewise took part in a quarrel and combat for which he was sentenced to quit the domain of Squire Allworthy.

Juliet's nurse had grown old in the service of the Capulets. Juliet had made her a confidante in whom she even reposed her love secrets and entrusted the messages to and from Romeo. Sophia had also a nurse, Mrs. Honour, old in the service of the Westerns, and who was a participant in the love secrets and a messenger of love missals to the same extent as her counterpart. These two garrulous old women were as alike in disposition as the Dromios in appearance.

" Like to a double cherry, seeming parted;
But yet a union in partition,
Two . . . berries moulded on one stem:
So, with two seeming bodies, but one heart."

These nurses grew old while the girls blossomed into maidenhood, which no doubt would excuse the familiarity which they ever exercised in speaking to their mistresses. Neither of them ever thought of the impropriety of commenting on the different lovers, although both possessed the tact to praise the ones in favor. And yet, when Romeo had killed Tybalt and Jones had left Sophia after writing his letter; and after both Juliet and Sophia, momentarily thinking that their lovers were false, allowed thoughts detrimental to them to find utterance; how quickly these nurses imagined it would be policy to condemn Romeo and Jones. Juliet's nurse allowed her tongue to wag in condemnation of all men and finally says:

" Shame come to Romeo!"

while Mrs. Honour alludes to Jones as

"A poor, beggarly, bastardly fellow."

And what is the result in each case? Juliet's answer is

"Blister'd be thy tongue
For such a wish! he was not born to shame:
Upon his brow shame is ashamed to sit;
For 'tis a throne where honor may be crown'd
Sole Monarch of the universal earth.
Oh, what a beast was I to chide at him!"

And Sophia's answer is but an echo of Juliet's.

"Hold your blasphemous tongue. How dare you mention his name with disrespect before me? He use me ill! No, his poor bleeding heart suffered more when he wrote the cruel words than mine from reading them. Oh, he is all heroic virtue and angelic goodness. I am ashamed at the weakness of my own passion for blaming what I ought to admire."

Both nurses developed such a degree of boldness as to praise the rivals of Romeo and Jones, whom the girls hated. Juliet is enraged to hear:

"Oh, he's a lovely gentleman!
Romeo's a dishclout to him; an eagle, madam,
Hath not so green, so quick, so fair an eye
As Paris hath—"

while Sophia is subjected to the same treatment from Mrs. Honour:

"To be sure, if I may be so presumptuous as to offer my poor opinion, there is young Mr. Blifil, who, besides that he is come of honest parents, and will be one of the greatest squires all hereabouts, he is to be sure in my poor opinion a more handsomer and more politer man by half; and besides he is a young gentleman of sober character, and who may defy any of the neighbors to say black is his eye."

But both of the nurses overreached themselves when they proposed to their mistresses that they marry the men they hate so that their fathers might be pleased and peace restored to their families. And perhaps fear of discovery of the part she had played also prompted Mrs. Honour, as it undoubtedly did Juliet's nurse. One can easily imagine the indignation such a proposition would arouse in Juliet, whose marriage had already taken place, and whose separation from her dearer than dear lov'd lord was but a few hours cold; but she kept her temper and dismissed her from her, and never again were they as they had been. Mrs. Honour made the same proposition to Sophia who in anger "dismissed her from her presence;" but poor Sophia had no one else to help her, no Friar Laurence to assist her in her troubles, so she had to take again into her confidence the old woman.

Another very perceptible likeness in the nurses is in their inability at most important times to come to the point. Note the nurse's return to Juliet after her first visit to Romeo. The news she bears is of the utmost import to Juliet, and she knows it. Instead, however, of reporting at once, she smatters away concerning her sore bones, aching head, and painful back; runs off on a discourse as to her mistresses' capabilities in choosing a man; and finally, when just on the point of delivering up the desired message, asks her where her mother is. Again when she comes with the report of Tybalt's death and Romeo's banishment it is in the same mixed manner; in fact so much so that Juliet is led to believe that both Tybalt and Romeo have been slaughtered, and it is some time before the dreadful news is correctly told. Let me now present a picture from (Book XV., chapter VII.)

Tom Jones:

"Affairs were in the aforesaid situation when Mrs. Honour arrived at Mrs. Miller's and called Jones out of the company, as we have before seen; with whom, when she found herself alone, she began as follows: 'Oh, my dear sir, how shall I get spirits to tell you? You are undone, sir; and my poor lady is undone, and I am undone!' 'Has anything happened to Sophia?' cries Jones, staring like a madman. 'All that is bad,' cries Honour. 'Oh, I shall never get such another lady! Oh, that I should ever live to see this day!' At these words Jones turned pale as ashes, trembled, and stammered: but Honour went on, 'Oh, Mr. Jones, I have lost my lady forever.' 'How—what?—for Heaven's sake tell me. Oh, my dear Sophia!' 'You may well call her so,' said Honour; 'she was the dearest lady to me. I shall never have such another place.' 'D—n your place,' cries Jones; 'where is—what—what is become of my Sophia?' 'Ay, to be sure,' cries she, 'servants may be d—ned. It signifies nothing what becomes of them, though they are turned away and ruined ever so much. To be sure they are not flesh and blood like other people.' 'If you have any pity, any compassion,' cries Jones, 'I beg you will instantly tell me what has happened to Sophia!' 'To be sure I have more pity for you than you have for me,' answered Honour: 'I don't d—n you because you have lost the sweetest lady in the world. To be sure you are worthy to be pitied, and I am worthy to be pitied too; for to be sure if ever there was a good mistress—' 'What has happened?' cried Jones in almost a raving fit."

And the scene might be prolonged, but 'tis enough to show the similarity.

Both Juliet and Sophia decided on a plan whereby they could escape the unhappy unions their fathers intended for them. And both of the heroines, in order to gain the confidence of their parents and throw off suspicion so that they would have more liberty, went to their fathers on the night previous to the day on which they hoped to free themselves and consented, apparently, to the much-desired-for, but to

them hateful, marriages. Both the girls had expressed their willingness to die rather than accede to the demands of their fathers. Juliet was ready to "leap from off the battlements of yonder tower" rather than marry Paris, while Sophia, sooner than submit to be the wife of Blifil, would plunge a dagger into her heart. Of course all young girls in love might have the same thoughts; but in these cases it became necessary that something desperate should be done, and neither of them lacked the valor not only to attempt it, but to fully perform the parts they had mapped out, with what results we all well remember.

To claim that the author of *Tom Jones*, *The Adventures of Joseph Andrews*, and *Amelia* ("masterpieces of genius and monuments of workmanlike skill") had in this instance been guilty of plagiarism would indeed be absurd. With his masterly ability to construct intricate plots; the skill to render as clear as crystal whatever he wrote; with such a keen eye to drink in everything he saw or whatever he wished to depict, and the power to reproduce it with the same ease that he drained his glass of claret; with his thrusts of wit and wisdom, so feared by his enemies and so admired by his readers: such a man in the construction of a novel, on which he bestowed the utmost care, can hardly be placed in the dock on a charge of literary felony. Such a view I will leave to the Shakespearian fanatic, who can, if he wishes, show how in *The Tragedy of Tragedies*; or, *The Life and Death of Tom Thumb the Great*, Fielding used *verbatim* line after line belonging to other authors; or he can quote from the chapter (Book XII., chap I.) on plagiarism in *Tom Jones* wherein Fielding says:

"Nor shall I ever scruple to take to myself any passage which I shall find in an ancient author to my purpose without setting down the name of the author from whence it was taken. Nay, I absolutely claim a property in all such sentiments the moment they are transcribed into my writings.

It would matter but little to the fanatic to tell him that in the *Tragedy of Tragedies* Fielding used the words of other authors to hold them up to ridicule, which made the burlesque so successful; or to tell him that Fielding's chapter on plagiarism was irony in its most intense form. All would seem yellow to his jaundiced eye.

On the other hand, it might be argued that the similarity is a most natural one. That any author wishing to draw a love affair would make it occur with an only daughter, so that all interest would centre in her. That the majority of parents having the interest of their child at heart would most naturally wish her to marry well; indeed this thought is such a constant companion to all parents that they doubtless always have, and perhaps always will use every effort to bring such a result to pass, and when they see symptoms of non-compliance, the great majority—poor, self-deluded mortals!—imagine

that forcing their daughters to marry in opposition to their sweet wills will render them happy forever. But Youth and Love are not so easily swayed from what they like or loathe and the result is just what happened in the cases in point. The great mass of daughters, however, have not the courage of Juliet or Sophia, and bear untold mental torture until the divorce court or the grave relieves them. The nurse was considered a household necessity among the wealthier families in the days of Shakespeare and Fielding, and it was most natural that girls should confide in them. And here the natural similarity ends. But there are a number of striking similarities that would *not* naturally occur to different authors. Not only is the thread of the stories alike, but even the minor details resemble each other. Not only are the same thoughts found, but, in one or two instances, identical words express them. And Mrs. Honour has certainly been moulded after Shakespeare's nurse, for they are as like each other "as cherry is to cherry." I believe that Fielding was thoroughly imbued with Shakespeare's works and unconsciously used them, as does every lover of the bard in both writing and speaking. That his appreciation of him was complete is evinced by the fact that in his *Tom Jones* he has alluded to or quoted from him not less than fifty-seven times, and in the very beginning of that part of Sophia's love-affair, that so resembles Juliet's, Fielding's mind is on Shakespeare, for he commences the chapter (VII., Book VI.) with a quotation from him. I do not see the necessity of combating an intimation that might arise as to the probability of Fielding obtaining any ideas from Broke's poem *The Tragical Historye of Romeus and Juliet*, from whence Shakspeare undoubtedly took his plot. Fielding was familiar with Shakespeare, but there is no evidence of his familiarity with Broke. Shakespeare added much original matter to *Romeo and Juliet* which Fielding freely used, but he appropriated nothing that was solely Broke's. But let us not quarrel with him for drawing water from so pure and so exuberant a spring. Let us rather lament that the pen of him whose invention of character was in every instance a "triumph of art" was not as prolific in novel-writing as was that of Shakespeare in the formation of his plays.

B. RUSH FIELD.

BOOKS RECEIVED.

[92] OUTLINES OF THE LIFE OF SHAKESPEARE. By J. O. Halliwell-Phillipps, F.R.S. The ninth edition. Cloth, 2 vols., royal 8vo, pp. xx-416-432. London and New York: Longmans, Green & Co.

[93] SPOILS: STUDIES ON SHAKESPEARE. By Harry S. Caldecott, F.R.G.S. Revised and enlarged. Printed for private circulation. Johannesburg, South Africa.

[94] OUR ENGLISH HOMER; OR, SHAKESPEARE HISTORICALLY CONSIDERED. By Thomas W. White, M.A. Cloth, 12mo, pp. 297. London: Sampson Low, Marston & Co.

[95] SHAKESPEARE REPRINTS: II. HAMLET. Parallel texts of the First and Second Quartos and the First Folio. Edited by Wilhelm Viëtor, Ph.D. Paper, 8vo, pp. 317. Marburg: N. 9, Elwert'sche Verlagsbuchhandlung.

BOOKS REVIEWED.

[93] Mr. Caldecott, though he hail *in partibus infidelibus*, has an extremely centripetal method about him. His studies are yet another instance of the infinite variety, which time nor place can stale, of these wonderful Plays. One may perhaps suggest that the value of one's labors in bringing from circumference to centre so much that is wise will, after all, depend upon the centre reached. Mr. Caldecott is a Baconian. But we are beginning to take the Baconians for granted, and, barring Bacon, to welcome their pure commentary as contributive to the great name.

[94] We have read no Bacon-theory book on the Shakespeare-Bacon controversy since "The Shakespearian Myth" which has so impressed us with its general fairness and equitable measuring of evidence as has this. Indeed, Mr. White has followed Mr. Morgan's argument as to the circumstantial probabilities of ten years ago so faithfully that if he has not read "The Myth" (he does not cite it among the works he claims to have consulted: from Holmes' book—"written by Judge Holmes, of Missouri, New York"—1866, to Donnelly's Cryptogram of 1885; he claims to know of nothing published on the subject, although Mr. Wyman was able to discover some 460 titles, including not only "The Myth," but Pott's, Wigston, Vitzthun and several other extensive and exclusive volumes) it is a high compliment to Mr. Morgan's acumen. The result is that—while most books on the controversy, like Delia Bacon's, Holmes', Mrs. Pott's, Donnelly's and Wigston's, start with a rigid postulate and push it to a q. e. d.—Mr. White, like Mr. Morgan, presents us with the field and, by induction, leads gently to his demonstration. Of this work, which is highly readable and never dull, and which no amount of impatience with its ultimate conclusion ought to keep us from enjoying, the first ten chapters upon the originality and the "mind" of Shakespeare are firm, terse and independently novel in the treatment. One can hardly swallow some of the postulates, such as that certain passages are Greek, others Latin and others bastard; but Mr. White so makes his assertions as to challenge, if not our concurrence, at least our respect; and one can only close his book after reading it to the end with a wish that it had not drawn from such well-postulated premises so altogether untenable a conclusion.

[95] Professor Viëtor has added a second to his series of "Shakespeare Reprints," undertaking to, as he calls it, parallel the First and Second Quartos with the First Folio texts of Hamlet. It is a convenience to have these three texts in one volume, and if the table of *errata* he has printed is reliable, he has worked a great improvement on his *Lear*, as he tables only fifty-five errors, whereas the *Lear* had almost as many hundred. But beyond these we cannot congratulate Professor Viëtor. His arrangement is clumsy, and the student who should attempt a comparison of the three texts would run the risk of a strabismus. The two Quarto texts are printed page to page, as are the Bankside texts, but run about five-eighths of a page, when a printer's

line is drawn, and the First Folio text is printed like a *feuilleton* across the bottom of the two pages, filling up the balance of them. This is not by any means improved by the shiny white paper which our German friends insist on using to print their studious books upon, and the very smallest type employed. Still this is probably the best of which the dimensions—a scant 8vo, scarcely more than 12mo—admitted. Scholars will wait for the New York Shakespeare Society's Four-text. Professor Viator's notation, too, is worse than useless. A line in his preface notifies us that "In addition to the numbers of the pages in the original text, those of the acts, scenes and lines in the Globe Edition have been marked in the margin (left side)." As there are no "pages" in the original texts, except the arbitrary paging, 152-156, then 257-282, etc., of the First Folio, this is rather more curt than helpful. The First and Second Quartos are signed, not paged, and no reference whatever is made to these signatures. The act and scene marks at the upper left-hand corners of the pages may be the Globe act and scene marks, and probably are; but to these the Arabic numerals below them do not refer, and another strabismus or a complication of the first would result in raising the eye to the top of the page every time the student encountered one. Add to these the [1, [2, [3, [4, etc., on the right-hand margin (which refer to nothing in the heavens above, or the earth beneath, or the waters under the earth, outside of Professor Viator's inner consciousness), and we regret to say that the shape in which a student (without the Bankside before him) can already make his scrutiny—viz., by getting the two Greggs fac-similes and the Halliwell-Phillipps miniature First Folio—would be a distinct improvement in both time and accuracy.

As for the parallelization, it seems to have been upon a system known only to Professor Viator, for so far as we are able to discover, he has not taken his readers into his confidence. Upon opposite pages, 144-150, he abruptly discontinues even this infantile arrangement at the line "That olde men have hollow eyes, weake backs," Bankside Q., 943, and thereafter prints six and one-half solid pages of Quarto text alone. The Bankside shows no such enormous break in the parallelization at this point, or anything other than the ordinary irregularities. Possibly Dr. Viator has rearranged the old texts here in order to meet some comparison which he deems desirable. But if he does, or if he meets it, as we have said, he makes no note or reference to put the reader on his guard or prepare him for the comparison intended. Whatever the object is, it is not Shakespeare, nor can it be called a parallelization. Bad as it was, the Viator *Lear* was better than this. The triple work begins again at the entrance of Hamlet with two or three of the players to whom he proceeds to give the advice (Bankside Q., 205-1842 F.), prior to which the Bankside has properly left the four Quarto pages, which do not correspond to any of the Folio lines (F. 1675, 1841), blank on the Quarto side. The Bankside plan, to be sure, has been to arbitrarily use blank leaves on either side where parallelization is impossible, preferring to leave the succession of each intact. But it is a shabby economy, not to say an inexcusable editorial effrontery, to economize a trifle of blank paper at the expense of the object for which—if it has any object—the Viator edition has been attempted. The contrast between the lavishness of the Bankside with the German economy in blank paper is a tremendous one.

